

THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

Thursday, the 8th March 1934.

The House met at eleven of the clock, Mr. President (the Hon. Mr. B. RAMACHANDRA REDDI) in the Chair.

PRESENT :

Usman Sahib Bahadur, K.C.I.E., The Hon. Khan Bahadur Sir Mahomed. Krishnan Nayar, Kt., The Hon. Diwan Bahadur Sir M.

Campbell, K.C.I.E., C.S.I., C.B.E., V.D., I.C.S., The Hon. Sir Archibald.

Stokes, K.C.I.E., C.S.I., I.C.S., The Hon. Sir Hopetoun.

Raja of Bobbili, The Hon. the.

Rajan, The Hon. Mr. P. T.

Kumaraswami Reddiyar, The Hon. Diwan Bahadur S.

Abdul Hameed Khan Sahib Bahadur.

Ahmed Meeran Sahib Bahadur A. M.

Alamelumangathayaramma, Mrs. K.

Annamalai Chettiyar, Mr. S. A. A.

Appadurai Pillai, Diwan Bahadur A.

Arasu, Mr. V. T.

Ari Gowder, Mr. H. B.

Basheer Ahmed Sayeed Sahib Bahadur.

Basu Dev, Mr. C.

Bayappa Reddi, Mr. P.

Birley, Mr. F.

Dharmalingam Pillai, Rao Sahib V.

Ellappa Chettiyar, Diwan Bahadur S.

Foulkes, Mr. R.

Gopalaswami Ayyangar, Diwan Bahadur N.

Harischandrudu Nayudu, Mr. A.

Hood, I.C.S., Mr. H. M.

Jagannatham, Mr. H. M.

Jayaram Nayudu, Rao Sahib C.

Kesavaramamurti Nayudu, Mr. K.

Kolanda Reddi, Rai Sahib C.

Koti Reddi, Mr. K.

Krishnayya Choudari, Mr. P. V.

Krishnamurti, Rao Bahadur D.

Krishnan, Mr. C.

Ladden, Mr. W. W.

Lakshmana Reddi, Mr. G.

Madanagopal Nayudu, Mr. R.

Mahmud Schamnad Sahib Bahadur, Khan Bahadur.

Manikkavelu Nayakar, Mr. M. A.

Metherell, Mr. J. K.

Moses, Mr. P. C.

Muniswami Nayudu, Diwan Bahadur B.

Muniswami Pillai, Rao Sahib V. I.

Nachiyappa Gounder, Mr. K. A.

Nadimuthu Pillai, Mr. A. Pl. N. V.

Nanjappa Bahadur, Subadar-Major S. A.

Narasa Reddi, Mr. T.

Narasimhaswami, Rao Sahib D. V.

Narayanan Nambiyar, Mr. V. P.

Natesa Mudaliyar, Rao Bahadur C.

Palat, Mr. E. M.

Pannirselvam, Rao Bahadur A. T.

Patro, Kt., Rao Bahadur Sir A. P.

Pattabhiramayya, Mr. K.

Pocker Sahib Bahadur, B.

Premayya, Mr. G. R.

Rajagopala Pillai, Mr. P. V.

Raja of Khalikote, The.

Ramachandra Padayachi, Mr. P. K.

Ramachandra Rao, Diwan Bahadur M.

Ramakrishna Reddi, Mr. A.

Ramalingam Chettiyar, Rao Bahadur T. A.

Ramamurti, Rao Sahib Pandit Ganala.

Ramaswami Ayyar, Mr. T. S.

Ranganatha Mudaliyar, Mr. A.

Ranganatha Mudaliyar, Mr. G.

Ranganatha Mudaliyar, Mr. M. D. T.

Sami Venkatachalam Chetti, Mr.

Shetty, Mr. A. B.

Siva Raj, Rao Sahib N.

Smith, C.I.E., I.C.S., Mr. E. Conran.

Soundara Pandian, Mr. W. P. A.

Sreshta, Mr. M. S.

Srinivasan, Rao Bahadur R.

Sriramulu, Mr. G.

Subbarayan, Dr. P.

Subrahmanya Chetti, Rao Sahib P.

Subrahmanya Bhatt, Mr. U. C.

Syed Tajuiddin Sahib Bahadur, Khan Sahib.

Thorne, C.I.E., I.C.S., Mr. J. A.

Vasudeva Pillai, Mr. V. G.

Venugopal Nayudu, Rao Bahadur R. K.

Viswanatha Rao, Diwan Bahadur V. N.

Yahya Ali Sahib Bahadur, Khan Bahadur.

Zamindar of Mirzapuram, The.

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I.—SWEARING IN OF A NEW MEMBER.

Mr. R. Foulkes made the prescribed oath or affirmation of allegiance to the Crown and took his seat.

II.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Arms and Ammunitions

Cancellation of gun licences in South Kanara.

* 726 Q.—MR. U. C. SUBRAHMANYA BHATT: Will the Hon. the Home Member be pleased to state—

(a) whether it is a fact that a large number of gun licences have been recently cancelled in the district of South Kanara; if so, what the number is of the licences so cancelled;

(b) what the number is of licences cancelled on the ground that the licence-holders did not purchase cartridges during the current year;

(c) whether any notices were issued to the licence-holders or explanation taken from them before the licences were cancelled;

(d) whether the gun licences were cancelled by the Collector of South Kanara on his own initiative or under instructions from the Government; and

(e) whether the people of Puttur taluk complained to the Collector at the recent jamabandi regarding the cancellation of licences; if so, what action the Collector has taken on the same?

A.—(a), (b) & (e) The Government have no information but have called for it.

(c) Neither under the Indian Arms Act, 1878, nor under the Indian Arms Rules, 1924, is it necessary to issue any notice to or obtain the explanation of licensees.

(d) No special instructions were issued by the Government to the District Magistrate of South Kanara.

MR. U. C. SUBRAHMANYA BHATT:—"May I know whether the Government have received any further information now?"

The Hon. Sir MAHOMED USMAN:—"Yes, Sir, we have received further information from the District Magistrate and I shall read it out to the House:—

(1) Number of licences for guns cancelled owing to death of licensees and other causes since August 1933 to 31st December 1933—423.

(2) Number of licences for guns cancelled for non-purchase of ammunition—273.

(3) At the ryots' conference at the jamabandi of Puttur taluk, the cancellation of licences was brought forward as a

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grievance but the only concrete instance given was of an elderly Muhammadan trader living in Puttur town. Several licensees brought petitions on the jamabandi days; each petition was dealt with on its merits; but the licences of headmen were renewed whenever they made representations.

"The District Magistrate says that during the year 1933, 963 applications for licences were entertained in his office of which 652 were granted."

Mr. U. C. SUBRAHMANYA BHATT:—"May I ask whether the Government consider that it is proper to cancel such a large number of licences as 273 for the mere reason that ammunition was not purchased during the year?"

The Hon. Sir MAHOMED USMAN:—"It is a matter of opinion."

Mr. SAMI VENKATACHALAM CHETTI:—"Are the Government aware that a big landholder was refused licence for the possession of a gun on the mere ground that he had not been purchasing ammunition?"

The Hon. Sir MAHOMED USMAN:—"I have no information, Sir. If the hon. Member brings any specific case to the notice of the Government, I will consider the matter."

Mr. U. C. SUBRAHMANYA BHATT:—"Could it not be that if ammunition was not purchased during the year, he might have used the ammunition purchased during the previous year?"

The Hon. Sir MAHOMED USMAN:—"It is hypothetical, Sir."

Police

Recruitment of the members of the Depressed Classes to the constabulary of the District Police Force, Tinnevelly and South Arcot.

* 727 Q.—Swami A. S. SAHAJANANDAM: Will the Hon. the Home Member be pleased to state—

(a) how many police constables have been recruited to the Police Force by the District Superintendents of Police of Tinnevelly and South Arcot since January 1933;

(b) how many applied for the post of Police constables;

(c) how many of the applicants belonged to the depressed classes, and how many belonged to Christians;

(d) whether all of them are taken in service, and if any were rejected, why;

(e) whether any circular has been issued to the District Superintendents of Police requiring them to liberally recruit men for service in the Police Force from the depressed classes;

(f) if so, whether the Government will be pleased to place the circular on the table of the House; and

(g) whether the Government have taken steps to see if the circular has been respected by the District Officials in the matter of recruitment?

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A.—(a) Forty-two by the District Superintendent of Police, Tinnevely, and
Twenty-nine by the District Superintendent of Police, South Arcot.

(b) Tinnevely 713; South Arcot 894.

(c)—

	Tinnevely.	South Arcot.
Members of the depressed classes ...	66	46
Indian Christians	72	4

(d) No; the following who were below the required standard were ejected:—

	Tinnevely.	South Arcot.
Members of the depressed classes ...	60	37
Indian Christians	57	4

(e) Yes.

(f) A copy ^a of the circular issued by the Inspector-General of Police is appended.

(g) The Inspector-General has taken steps which the Government consider adequate, to see that the circular is respected.

Regulation of Betting and Gambling

Alleged gambling in the amusement parks at Mangalore.

* 728 Q.—MR. U. C. SUBRAHMANYA BHATT: Will the Hon. the Home Member be pleased to state—

(a) whether it is a fact that the Police of Mangalore reported to the Collector or to the Government that gambling was going on on a large scale in the amusement parks when Gunboat Jack's American Shows were in Mangalore recently;

(b) whether it is a fact that the Collector of South Kanara refused to give licence or objected to the shows or any of them on the ground that there was gambling on the same;

(c) whether it is a fact that the local Government have in spite of the objections referred to above granted them the licence; and

(d) whether the Government will be pleased to lay copies of the reports of the police officers referred to above and that of the Collector and other correspondence regarding the same on the table of the House?

A.—(a) The Government have no information as to whether any report was made by the Police to the Collector. No such report has been received by the Government.

(b) The Chairman, Municipal Council, and not the Collector, is the licensing authority.

(c) The Government have granted no licence.

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- (d) The Government have issued general instructions to the Commissioner of Police and District Magistrates including the District Magistrate of South Kanara about travelling circuses and shows. They are not prepared to lay on the table of the House correspondence with the Commissioner of Police or District Magistrates.

Mr. A. B. SHETTY:—" May I know what the nature of the general instructions issued by the Government is? "

The Hon. Sir MAHOMED USMAN:—" The Government have issued general instructions to the Commissioner of Police and District Magistrates asking them to discourage gambling."

Mr. U. C. SUBRAHMANYA BHATT:—" May I ask whether it is not a fact that the Government have issued general instructions to allow these travelling circuses and shows to have betting or intelligent games? "

The Hon. Sir MAHOMED USMAN:—" I do not think so, Sir."

Mr. V. M. RAMASWAMI MUDALIYAR:—" May I ask what is the policy of the Government with regard to travelling circuses and shows: are they prohibited as such or is gambling alone prohibited in such places? "

The Hon. Sir MAHOMED USMAN:—" They are not prohibited as such, but when there is an element of gambling in these shows, the Government discourage them."

Mr. SAMI VENKATACHALAM CHETTI:—" May I ask whether the Government have received a further report from these officers as to the observance of these instructions? "

The Hon. Sir MAHOMED USMAN:—" There is no necessity for any report, Sir."

Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—" Will the Government be pleased to place a copy of the instructions on the table of the House? "

The Hon. Sir MAHOMED USMAN:—" I do not think it is necessary."

Mr. V. M. RAMASWAMI MUDALIYAR:—" May I ask who is the authority to decide whether a particular game is of a gambling nature or is an intelligent and scientific one? "

The Hon. Sir MAHOMED USMAN:—" The District Magistrates and the Commissioner of Police are perfectly competent to do so."

Mr. SAMI VENKATACHALAM CHETTI:—" Are the Government aware that, in spite of the general instructions of the Government, such games of betting are being allowed in the city of Madras? "

The Hon. Sir MAHOMED USMAN:—" The Government are considering the question. They have called for a report from the Commissioner of Police; when the report is received, they will go into the question very carefully."

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Mr. U. C. SUBRAHMANYA BHATT:—"Will the Hon. the Home Member be pleased to call for the report, if any, made by the Police of South Kanara to the District Magistrate?"

The Hon. Sir MAHOMED USMAN:—"I do not think there is any necessity for it. If my hon. Friend brings to the notice of the Government any instance where he thinks there has been gambling, I am prepared to inquire into the matter."

Mr. SAMI VENKATACHALAM CHETTI:—"Are the Government aware that the land opposite to the Moore Market is being leased out for the purpose?"

The Hon. Sir MAHOMED USMAN:—"Is it by the Corporation?"

Mr. SAMI VENKATACHALAM CHETTI:—"Not at all. The land was recently alienated in favour of the Government for the construction of quarters for the officers of the General Hospital?"

The Hon. Sir MAHOMED USMAN:—"I must ask for notice of the question."

Mr. C. BASU DEV:—"May I ask if the Government are aware that in that very show, even games of skill are being prohibited by the Deputy Commissioner of Police on the ground that there is an element of chance in them?"

The Hon. Sir MAHOMED USMAN:—"I am very thankful to the hon. Member for the information."

Regulation of Professional Qualifications and Standards

Applications received in 1933 from Medical men for registration under the Medical Registration Amendment Act of 1932.

* 729 Q.—Mr. M. DEVADASAN: Will the Hon. the Home Member be pleased to state whether applications were received by the Surgeon-General of Madras under the Medical Registration Amendment Act of 1932, for the registration of medical men in 1933; if so, how many; and how many of them have been registered?

A.—No such applications were received.

Administration of Justice

File on the Original Side of the High Court, Madras, for the quinquennium 1922-26.

* 730 Q.—Mr. BASHEER AHMED SAYEED: Will the Hon. the Law Member be pleased to state—

(a) what the number of judges and officers exercising judicial functions on the original side of the High Court was prior to the year 1926 with the designation of each of the officers so exercising original judicial functions;

(b) what the number of suits, petitions and applications filed was and the number disposed of in each of the years 1923, 1924, 1925 and 1926 on the original side of the High Court, Madras; and

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(c) what the valuation of each suit was, how many below Rs. 2,500, how many above Rs. 2,500, how many above Rs. 5,000 and below Rs. 10,000 and how many above Rs. 10,000 in the years 1922, 1923, 1924, 1925 and 1926?

A.—(a) The Government have not the information.

(b) & (c) The information so far available with Government is contained in the statistics of Civil Courts which are published annually. The attention of the hon. Member is invited to judicial statements Nos. 7, 9, 11, 12 and 8 in these statistics.

B. POCKER SAHIB Bahadur:—" May I ask whether the Government have at any time considered the advisability of transferring the whole of the original jurisdiction of the High Court to the City Civil Court by amending the City Civil Court Act accordingly? "

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" No, not the whole jurisdiction of the original side of the High Court, but jurisdiction only up to Rs. 10,000."

B. POCKER SAHIB Bahadur:—" I want to know whether the Government have at any time considered the advisability of transferring the whole jurisdiction? "

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" No."

B. POCKER SAHIB Bahadur:—" Will the Government be pleased to consider that aspect of the question in connexion with the Bill dealing with the City Civil Court? "

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" No, Sir."

Disposal of files on the Original Side of the Madras High Court during the years 1932 and 1933.

* 731 Q.—Mr. BASHEER AHMED SAYEED: Will the Hon. the Law Member be pleased to state—

(a) the number of judges and officers exercising judicial functions on the original side of the High Court, Madras, in the years 1933 and 1934;

(b) the number of suits, petitions and applications filed, disposed of and pending on the original side of the High Court in the calendar years 1932 and 1933; and

(c) the number of suits below Rs. 2,500, above Rs. 2,500, above Rs. 5,000 and above Rs. 10,000, filed on the original side of the High Court in the calendar years 1932 and 1933?

A.—(a) The Government have not the information.

(b) & (c) Information so far available with Government relates to 1932 and it is contained in the judicial statements Nos. 7, 9, 11, 12 and 8 of the statistics of Civil Courts which are published annually. The figures for 1933 have not been received by Government.

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Mr. V. M. RAMASWAMI MUDALIYAR:—"With reference to the answer to clause (a), may I ask whether the Government will please call for the information?"

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"I shall consider my friend's suggestion."

Forests

Forest grievances of the ryots of South Kanara.

* 732 Q.—Mr. U. C. SUBRAHMANYA BHATT: Will the Hon. the Law Member be pleased to state—

(a) whether the Government or the Collector of South Kanara have received representations from the ryots of Puthur, Udipi, Coondapoor and other parts of the district of South Kanara recently regarding the forest grievances; and

(b) what action the Government have taken or propose to take in the matter?

A.—(a) & (b) Copies of resolutions passed at the ryots' conferences held at Puttur in December 1933 and January 1934 have been received and are under the consideration of Government. Information regarding the receipt of representations by the Collector of South Kanara, is not available.

Mr. U. C. SUBRAHMANYA BHATT:—"May I ask when orders are likely to be passed on this question whether they will be passed in the near future?"

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"As I told my hon. Friend the other day in the Council, the Government have called for reports from the District Collector and the Chief Conservator of Forests. They have not yet been received. I hope they will soon be received."

Mr. SAMI VENKATACHALAM CHETTI:—"May I ask whether the Government are aware that the proximity of forests to cultivable areas in this district would cause a great hardship if the concessions which were granted to the cultivators were withheld?"

* The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"The Government are not aware of it, Sir."

Mr. SAMI VENKATACHALAM CHETTI:—"May I ask whether the Hon. the Law Member himself did not inspect these forests when he visited the district recently?"

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"I only passed through some of these forests."

Mr. SAMI VENKATACHALAM CHETTI:—"May I ask whether the villagers did not bring this grievance to the notice of the Hon. Member?"

* The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"The concession had not been withdrawn on that date. So, they could not have brought it to my notice."

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Irrigation

Sanction of the revised estimates for repairs and improvements to the Maranthai channel.

* 733 Q.—MR. M. DEVADASAN: Will the Hon. the Member for Revenue be pleased to state in regard to the Maranthai channel and anicut in the Tinnevely district—

(a) whether the revised estimates for (i) the repairs and (ii) the improvements of the channel and anicut have been sanctioned by the Government; and

(b) whether and when the estimates are likely to be taken up for execution?

A.—(a) No.

(b) The report from the Board of Revenue, recently received, is under consideration.

Sanction of the estimates for the Tirumalaikozhuthupuram drainage channel.

* 734 Q.—MR. M. DEVADASAN: Will the Hon. the Member for Revenue be pleased to state with reference to the Tirumalaikozhuthupuram drainage channel in the Tinnevely district—

(a) whether the estimates of the Chief Engineer have been sanctioned by the Government; and

(b) whether, and when they will be taken up for execution?

A.—(a) No.

(b) A report on the revenue aspects of the scheme has been called for from the Board of Revenue.

Land Revenue Administration

Appointment of an Indian as Member, Board of Revenue.

* 735 Q.—MR. M. B. RANGASWAMI REDDI: Will the Hon. the Member for Revenue be pleased to state—

(a) whether an Indian Civilian or a Madras Statutory Civilian has been appointed as Member of the Revenue Board within the past five years; and

(b) if not, why?

A.—The answer to (a) is in the affirmative.

Taxation on improvements effected by tenants.

* 736 Q.—KHAN BAHADUR MAHMUD SCHAMNAD SAHIB Bahadur: Will the Hon. the Member for Revenue be pleased to state whether tenants' improvements such as levelling and bunding grounds for cultivation purposes, and digging wells and tanks for irrigation purposes are proposed to be taxed in South Kanara in the forthcoming resettlement?

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A.—The attention of the hon. Member is invited to the answer given to his question No. 380 on the 4th November 1933. Proposals for the resettlement of the South Kanara district have not yet been submitted to the Government.

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—Sir, the question I asked was whether tenants' improvements such as levelling and bunding grounds for cultivation purposes and digging wells and tanks for irrigation purposes were proposed to be taxed in South Kanara in the forthcoming resettlement. The answer is: Attention of the hon. Member is invited to the answer given to question No. 380 on the 4th November 1933. Sir, the answer to question No. 380 does not at all cover the point. The question there was whether the rule that ryots' improvements ought not to be taxed applied in the case of South Kanara. The reply was: Yes, but the mere cultivation of a particular land is not in itself an improvement of the kind protected by this principle. What is now asked is whether improvements like levelling and bunding grounds and digging wells, etc., are protected by this principle?"

The Hon. Sir ARCHIBALD CAMPBELL:—"Digging wells and tanks are not usually taxed, but mere levelling and bunding are part of the ordinary agricultural operation and are not protected."

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—"Supposing the ryot has to cut down big hill slopes and level and bund the land, would that also be considered to be in the course of the ordinary agricultural operation?"

The Hon. Sir ARCHIBALD CAMPBELL:—"Probably so, Sir."

B. POCKER SAHIB Bahadur:—"Levelling and bunding grounds for cultivation purposes are considered to be improvements within the meaning of the Malabar Tenants' Improvements Act?"

The Hon. Sir ARCHIBALD CAMPBELL:—"Possibly, Sir. I have not got the Act here."

B. POCKER SAHIB Bahadur:—"If that is so, Sir, is it not the duty of the Government to see that such tenants' improvements are not taxed?"

The Hon. Sir ARCHIBALD CAMPBELL:—"No, Sir, the Government are entitled to a share of the produce."

Mr. U. C. SUBRAHMANYA BHATT:—"May I know whether it is the policy of the Government to lay a premium on improvements effected by tenants?"

The Hon. Sir ARCHIBALD CAMPBELL:—"We wish to see improvements carried out."

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—"If the tenant spends a large sum, say, Rs. 500 in levelling and bunding his land, will the Government take that into consideration in fixing the assessment and will they give a set-off for the expenditure incurred by the tenant?"

The hon. Sir ARCHIBALD CAMPBELL:—"The Government cannot go into details of that nature."

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Representations against the imposition of revised water-rates and the reclassification of irrigation sources in Tanjore.

* 737 Q.—Mr. K. S. SIVASUBRAHMANYA AYYAR: Will the Hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that repeated representations have been made from the Tanjore district and the Presidency Ryotwari Conference held at Madras on 27th January 1934 that it is just and proper that—

(i) G.O. No. 1853, dated 5th September 1932, directing levy of new and heavy water-rates rising up to Rs. 21-4-0 per acre;

(ii) G.O. No. 474, dated 15th March 1933, directing an imposition of a flat water-rate of Rs. 7-8-0 per acre on second-crop lands; and

(iii) G.O. No. 1238, Revenue, dated 14th July 1933, reclassifying the irrigation sources in the Tanjore district and increasing the rates of land revenue on the major portions of the wet lands in that district by more than one rupee per acre, should be cancelled; and

(b) if so, what action the Government have taken in the matter; if not, why not?

A.—(a) The Government have received several representations against the orders issued in the Government Orders mentioned, but have not received the proceedings of the Presidency Ryotwari Conference held on 27th January 1934.

(b) The rules issued in G.O. No. 1853, Revenue, dated 5th September 1932, provide for the levy of concessional rates of water-cess during the first few years of irrigation under the Cauvery-Mettur Project. These concessional rates are also subject to the suspension of land revenue ordered in G.O. No. 72, Revenue, dated 10th January 1934, for fasli 1343. The orders issued in G.O. No. 474, Revenue, dated 15th March 1933, and G.O. No. 1238, Revenue, dated 14th July 1933, do not come into force earlier than 1st July 1934. The Government see no reason why the Government Orders should be cancelled.

Representations against the imposition of revised water-rates and the reclassification of irrigation sources in Tanjore.

* 738 Q.—Mr. A. P. N. V. NADIMUTHU PILLAI: Will the Hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that repeated representations have been made from the Tanjore district and the Presidency Ryotwari Conference held at Madras on 27th January 1934 that it is just and proper that—

(i) G.O. No. 1853, dated 5th September 1932, directing levy of new and heavy water-rates rising up to Rs. 21-4-0 per acre;

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(ii) G.O. No. 474, dated 15th March 1933, directing an imposition of a flat water-rate of Rs. 7-8-0 per acre on second-crop lands; and

(iii) G.O. No. 1238, Revenue, dated 14th July 1933, reclassifying the irrigation sources in the Tanjore district and increasing the rate of land revenue on the major portion of the wet lands in that district by more than Re. 1 per acre should be cancelled; and

(b) if so, whether the Government propose to take action thereon; and if so, what action?

A.—(a) & (b) The attention of the hon. Member is invited to the answer given to question No. 737.

Provincial Gazetteers

Arrangements for editing the gazetteers.

* 739 Q.—Mr. U. C. SUBRAHMANYA BHATT: Will the Hon. the Member for Revenue be pleased to state—

(a) when the work of the gazetteers was entrusted to the late Mr. J. J. Cotton, I.C.S.;

(b) for how long Mr. J. J. Cotton was in charge of the office of Editor of the Gazetteers;

(c) for how many districts he was entrusted with the duty of revising the gazetteers;

(d) for what districts there are no gazetteers at all;

(e) what the strength was of the establishment sanctioned to him;

(f) what the arrangement is for editing gazetteers after Mr. J. J. Cotton's death;

(g) what the progress made by Mr. J. J. Cotton was in the preparation of the gazetteers (i.e., in what stage he left the work when he died); and

(h) who the present Editor of the Gazetteers is and what the strength of the present establishment is and what the qualifications are of the head clerk of the special staff?

A.—(a) 1st July 1926.

(b) Until his death on 20th June 1927.

(c) The following duties were entrusted to him:—

(i) Preparation of gazetteers of the following districts:—

Ganjam,	North Arcot,
West Godavari,	Ramnad,
Kistna,	Chittoor,
Kurnool,	Guntur and
Chingleput,	Nellore.

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- (ii) Preparation of supplementary chapters embodying additions and alterations to the text of the Gazetteers or District Manuals of the following districts for which Gazetteers or District Manuals exist:—

The Nilgiris,	Malabar,
Cuddapah,	Tanjore,
Bellary,	Tinnevely,
Anantapur,	East Godavari,
Madura,	Vizagapatam,
Trichinopoly,	Coimbatore and
Salem,	South Kanara.
South Arcot,	

- (iii) Compilation of Statistical Appendices for all districts except Madras.

- (d) Gazetteers or District Manuals exist for all districts, except Madras, West Godavari, Guntur, Chittoor and Ramnad.

- (e) One Personal Assistant on Rs. 400.

One Statistical Assistant on Rs. 400.

One head clerk on Rs. 100.

Two clerks on Rs. 50 each.

One attender on Rs. 20.

Five peons on Rs. 18 each.

- (f) The preparation of Gazetteers for the districts mentioned in item (i) in the answer to clause (c) except Nellore was dropped. The remaining items of work were entrusted to the Personal Assistant who now continues to do the work under the supervision of the Board of Revenue. When the Personal Assistant gets matter ready, the Board sends it to the Collector of the district concerned for scrutiny and approval.

- (g) Mr. J. J. Cotton had written drafts for eight chapters of the Nellore Gazetteer.

- (h) There is no Editor of Gazetteers. The present establishment consists of one Personal Assistant on Rs. 400, a clerk on Rs. 60, a steno-typist on Rs. 40 and two peons on Rs. 18 each. There is no head clerk. This staff works under the Board of Revenue.

Mr. U. C. SUBRAHMANYA BHATT:—" May I know whether, beyond writing a few chapters on Nellore in the Gazetteer, any other work was done during the last nine years? "

* The Hon. Sir ARCHIBALD CAMPBELL:—" Yes, but I must ask for notice of the question, if the hon. Member wants detailed information."

[8th March 1934]

Progress in the preparation of the district gazetteers.

* 740 Q.—Mr. U. C. SUBRAHMANYA BHATT: Will the Hon. the Member for Revenue be pleased to state—

(a) in what stage the preparation of the district gazetteers is at present;

(b) whether any Gazetteers have been prepared and issued so far;

(c) what the amount spent yearwar on the gazetteer work has been from 1926 up to date; and

(d) whether there is any time-limit within which the gazetteer for any district has to be written up?

A.—(a) & (b) (i) *Nellore Gazetteer*.—Three out of fifteen chapters have yet to be written.

(ii) Supplements have been published for all districts except East Godavari, Vizagapatam, South Kanara and Tinnevely. The supplement relating to Tinnevely is under print, and the rest are in progress.

(iii) Statistical appendices have been published for all districts except Kistna, Ganjam, Guntur, West Godavari, East Godavari, Vizagapatam, South Kanara, Ramnad and Tinnevely. The appendices for these districts are in print.

(c)

Year.	Amount.	
	Non-voted.	Voted.
	RS.	RS.
1926-27	24,900	11,056
1927-28	11,644	11,002
1928-29	...	9,077
1929-30	...	8,613
1930-31	...	7,025
1931-32	...	7,651
1932-33	...	7,194
1933-34 (up to 1st February 1934)	...	6,050

(d) The answer is in the negative.

Medical Administration*Appointment of a woman doctor for the Government Headquarters Hospital, Kasaragod.*

* 741 Q.—Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur: Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) the daily attendance of in- and out-patients in the Government Headquarters Hospital, Kasaragod, South Kanara, during the month of January 1934;

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(b) how many of the patients mentioned above were attended to by the Honorary Surgeon; and

(c) whether there is a proposal before the Government to appoint a woman doctor for this hospital?

4.—(a) In-patients—24.

Out-patients—340.

(b) There is no Honorary Surgeon attached to the hospital. There is only an Honorary House Surgeon who assists in the hospital work.

(c) No.

* Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—" In view of the large number of patients especially women patients who attend the hospital, may I ask whether the Government will appoint an additional medical officer preferably a lady doctor to the hospital? "

The Hon. the RAJA OF BOBBILI:—" I do not follow exactly whether the hon. Member wants a lady doctor or a male doctor. As regards a male doctor, there is already one doing work."

* Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—" May I know whether the Government are aware that the Honorary House Surgeon is not able to cope with the work, that the attendance is very large, and that, if a lady doctor is appointed, the assistant surgeon would be relieved of his heavy work and enabled to go home for his mid-day meal?"

11-15
a.m.

The Hon. the RAJA OF BOBBILI:—" The Government are not aware that the staff is not able to cope with the work."

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—" In view of the large number of women patients there, do not the Government think that a lady doctor is quite necessary? "

The Hon. the RAJA OF BOBBILI:—" It is not possible to provide lady doctors for every hospital."

UNSTARRED QUESTIONS

Depressed Classes

Inclusion of the Viswa-Brahmans in the list of depressed classes for purposes of educational and political privileges.

742 Q.—Rao Sahib Pandit GANALA RAMAMURTI: Will the Hon. the Home Member be pleased to state—

(a) whether the Government have received a copy of the resolution adopted at the First Andhra Viswa-Brahmana Youth Conference organized at Bezwada, Kistna district, by one Mr. P. Suryanarayana with Mr. Somanath Vellatore in the chair sometime in the month of December 1932 for the inclusion of the name of this community in the list of the depressed classes in respect of educational and political privileges; and

(b) whether the Government have considered the request made in the said resolution?

[8th March 1934]

- A.—(a) No.
(b) Does not arise.)

Irrigation

Memorandum of the Tinnevelly District Association, dated the 21st November 1932, to the Executive Engineer, regarding the Kangayan system in the Tinnevelly district.

743 Q.—MR. DANIEL THOMAS: Will the Hon. the Member for Revenue be pleased to state with reference to the Kangayan system under the Gatanar river in the Tinnevelly district—

(a) whether the report that was called for by the Government in regard to the grievances set out in a memorandum of the Tinnevelly District Association presented to the Executive Engineer on 21st November 1932, has been received;

(b) what action, if any, has been taken with reference to the matters disclosed in the report; and

(c) whether the report will be placed on the table of the House?

A.—(a) Yes.

(b) A further report has been called for from the Board of Revenue.

(c) This will be considered after the Board's further report has been received.

Resolution passed by the Tinnevelly District Conference on 21st January 1934 regarding the kudimaramat.

744 Q.—MR. DANIEL THOMAS: Will the Hon. the Member for Revenue be pleased to state—

(a) whether the attention of the Government has been drawn to resolution No. XVI about kudimaramat passed by the Tinnevelly District Conference on 21st January 1934; and

(b) if so, what action the Government have taken regarding the resolution?

A.—(a) Yes.

(b) None.

Land Revenue Administration

Representations against the imposition of revised water-rates and the reclassification of irrigation sources in Tanjore.

745 Q.—MR. G. RANGANATHA MUDALIYAR: Will the Hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that repeated representations have been made from the Tanjore district and the Presidency Ryotwari Conference held at Madras on 27th January 1934 that it is just and proper that—

(i) G.O. No. 1853, dated 5th September 1932, directing levy of new and heavy water-rates rising up to Rs. 21-4-0 per acre;

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(ii) G.O. No. 474, dated 15th March 1933, directing an imposition of a flat water-rate of Rs. 7-8-0 per acre on second-crop lands; and

(iii) G.O. No. 1238, Revenue, dated 14th July 1933, reclassifying the irrigation sources in the Tanjore district and increasing the rate of land revenue on the major portion of the wet lands in that district by more than one rupee per acre, should be cancelled; and

(b) if so, whether the Government propose to take action thereon; and, if so, what action?

A.—(a) & (b) The attention of the hon. Member is invited to the answer given to question No. 737.

[Note.—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

III.—ELECTION OF MEMBERS TO THE PUBLIC ACCOUNTS COMMITTEE FOR 1934-35, TO THE FINANCE COMMITTEE FOR 1934-35 AND TO THE ADVISORY COMMITTEE OF THE MADRAS AND SOUTHERN MAHRATTA RAILWAY COMPANY.

* The Hon. Sir HOPETOUN STOKES:—"Sir, I beg to move—
that, with a view to the constitution of a Committee on Public Accounts for the financial year 1934-35, this Council do proceed, on a date to be fixed by the Hon. the President, to elect seven members to be members of the said Committee'."

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"I second it."

The motion was put and carried.

* The Hon. Sir HOPETOUN STOKES:—"Sir, I beg to move—
that, in accordance with resolution No. 2 passed at the meeting of the Legislative Council on the 8th August 1929 regarding the constitution of the Finance Committee, this Council do proceed, on a date to be fixed by the Hon. the President, to elect eight members to be members of the Finance Committee for the financial year 1934-35'."

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"I second it."

The motion was put and carried.

The Hon. Sir HOPETOUN STOKES:—"Sir, I beg to move—

that with reference to G.O. No. 55, Railway, dated 10th December 1923, this Council do recommend to the Government to communicate to the Madras and Southern Mahratta Railway Company the names of two persons elected by this Council in accordance with the arrangements made in that behalf by the Hon. the President to sit on the Advisory Committee of the said Railway after 31st March 1934 when the term of office of the present members of the Committee will expire'."

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The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"I second it."

* Mr. V. T. ARASU:—"May I move an amendment to the motion of the Hon. the Finance Member?"

* The Hon. the PRESIDENT:—"No notice of the amendment has been given."

* Mr. V. T. ARASU:—"The orders of the day were placed on the table just now."

* The Hon. Sir MAHOMED USMAN:—"Notice of this item of business was sent long ago."

* The Hon. the PRESIDENT:—"Hon. Members must have received notice of this motion long ago."

* Mr. V. T. ARASU:—"Sir, I may be permitted to make a few remarks on this motion. I would suggest that the election to this body be conducted by means of the single transferable vote. The results of the elections to this body conducted according to your instructions in the previous years will go to show that the majority party in this Council has been getting both the seats allotted for this body. It is but fair that minority parties in this Council should also have an opportunity of getting representation on this body. Therefore I would suggest to the Hon. the Finance Member that the election to this body should be conducted according to the principle of the single transferable vote. That would give an opportunity to the minority parties in this Council to get one seat on this body."

* The Hon. Sir HOPETOUN STOKES:—"Sir, the process and method of carrying out the resolution rests with the President himself, whether it should be by the method of the single transferable vote or by what method it should be done. As my hon. Friend has just asked me to consider his suggestion, I would reply to him that he had better make the suggestion to you, Sir."

* The Hon. the PRESIDENT:—"For a long time past a certain procedure has been followed by this House in the matter of election of members to this Advisory Committee. Till now no objection has been raised to the method that has been followed. If the hon. Member had suggested it some time earlier, I would have thought of any other arrangement if it was found necessary. Now the usual method may be followed and the suggestion might be considered next year."

The motion of the Hon. the Finance Member was put and carried.

* The Hon. the PRESIDENT:—"In accordance with the regulations framed under Standing Order No. 80 for the election of Members of the Public Accounts Committee by means of the single transferable vote, I fix 5 p.m. on Monday as the time within which notice of nominations should be given to the Secretary. If the number of candidates exceeds the number of vacancies, viz., seven, there will be an election between 12 noon and 2 p.m. on Wednesday the 14th instant."

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ELECTION OF MEMBERS TO THE PUBLIC ACCOUNTS COMMITTEE
FOR 1934-35, TO THE FINANCE COMMITTEE FOR 1934-35, AND
TO THE ADVISORY COMMITTEE OF THE MADRAS AND
SOUTHERN MAHRATTA RAILWAY COMPANY

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[The President]

“In accordance with the regulations framed under Standing Order No. 80 for the purpose of election of Members to the Finance Committee by means of the single transferable vote, I fix 5 p.m. on Monday as the time within which notice of nominations should be given to the Secretary. If the number of candidates nominated exceeds the number of vacancies, viz., eight, there will be an election between 12 noon and 2 p.m. on Wednesday the 14th instant.

“With regard to the election of two Members to the Advisory Committee of the Madras and Southern Mahratta Railway, I would suggest that hon. Members hand in nominations to the Secretary before 3 p.m. on Monday the 12th instant. If the number of candidates nominated exceeds two, an election will be held between 12 noon and 2 p.m. on Tuesday the 13th instant. The election will be by the ordinary method and not according to the method of single transferable vote.

IV.—AMENDMENTS TO STANDING ORDERS OF THE MADRAS
LEGISLATIVE COUNCIL.

* The Hon. Sir MAHOMED USMAN:—“Sir, I beg to present the Report of the Select Committee appointed to consider certain draft amendments to the Standing Orders of the Madras Legislative Council and move that the report be taken into consideration.”

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—“I second it.”

The motion was put and carried.

Standing Order No. 2 was put and carried.

Standing Order No. 4.

* Mr. SAMI VENKATACHALAM CHETTI:—“Sir, I beg to move the following amendment:—

‘In line 2 for the figures and letters “11 a.m.” and “5 p.m.”, substitute the figures and letters “2 p.m.” and “6 p.m.” respectively.’

“My object is that this House may be enabled to sit during the afternoon instead of in the forenoon. A famous citizen of Madras said that Madras is nine months hot and three months hotter. 11 a.m. to 5 p.m. is not at all suitable for any serious work, particularly the first few hours of the forenoon. Coming as we do soon after breakfast—so far as Indian Members are concerned—and perhaps soon after a heavy meal so far as European Members are concerned, it is rather a great strain upon the activities of individuals who sit for serious work. It happened to be reading the lives of the Nawabs of the days of Jonn Company. They seem to have started their work early in the morning;

[Mr. Sami Venkatachalam Chetti] [8th March 1934]

as a matter of fact the hours between 11 a.m. and 3 p.m. were devoted to harem and hooka. This is not the first time when this question is raised. Some time ago this question was raised and the Government were in favour of it, though the mufassal Members were not quite willing for a change. I think the House need not be against this change simply because this change comes from a City Member. I am suggesting this change not only in the interest of the City Members alone but also in the interest of all concerned. I should think that poor attendance is solely due to the unsuitable hours in which we are meeting; between 2 to 6 or 7 p.m. will be more suitable for work. I do not think the Government need object to this change, for it will enable the Members of Government to prepare in the morning what they have got to say with regard to questions raised in the Council; they need not waste the previous day for this purpose. Early in the morning they may equip themselves with the necessary information, and in the afternoon the Council may meet. There will not be much serious inconvenience to the mufassal Members. They may leave the Council much earlier if there is a continuous sitting according to this change. With these words I move that the hours I have referred to be substituted for the hours in the Standing Order."

11-30
a.m.

* Dr. P. SUBBARAYAN:—"Sir, I rise to second this amendment. I think few words are needed from me to commend this amendment to the House. This question was not left unconsidered by the Conference, and the Conference came to the decision that they did not desire to express a decided opinion on this point but that they were in favour of the suggestion being considered by the Select Committee that was appointed to consider the revision of the Standing Orders. The Conference itself, you will remember, Mr. President, had an open mind on this question. Mr. Venkatachalam Chetti has given reasons for the change. It is not only a question of mere City Members. I cannot be counted as a City Member in more respects than one. (Rao Bahadur T. A. Ramalingam Chettiyar: 'But you are living here.') My friend, Mr. Ramalingam Chettiyar, may wait for my argument before he proceeds to interrupt me. As Mr. Venkatachalam Chetti pointed out, I think it would be to the convenience of the Members of the House if the morning hours were left free, especially for party meetings and other purposes such as the consideration of the agenda in advance both by the Members of Government and by the Leaders of Parties. I think it should be to the advantage of the House if the House meets in the afternoon, instead of meeting in the forenoon. I know that one of the difficulties that confront the Hon. Members of Government is that they feel that Hon. Members of the Legislative Council would like to sit from day to day, and that the number of days for which the Council meets in a year may be increased by this change in the hours of sitting. I can assure Hon. Members of Government that all the Members of this House are as much concerned with the financial plight of the province as Hon. Members sitting on the Treasury Bench, and we have our own responsibilities. There can be no question of extending the number of

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[Dr. P. Subbarayan]

days on which the Council would sit; on the other hand, if the Council sat continuously from 2 to 6 p.m., as is suggested by my hon. Friend, Mr. Sami Venkatachalam Chetti, I feel it might lead to expedition of business, and we might be able to get through the business before us more quickly than is the case at present, with the usual intervals allowed for lunch."

* Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—"Sir, I am sorry I have to oppose the amendment moved by Mr. Venkatachalam Chetti and seconded by the Leader of the Opposition. In spite of the fact that the Leader of the Opposition protests that he is not a City Member, he is living in the City and he knows very little of the convenience of the mufassal Members coming here for the meetings of this Council. He has got his own house in Madras and he has so much work to do in the City, for which he has to find time. But most of the Members from the mufassal are not in the same position as he. They come here only for the Council work. Moreover, Sir, the proposed change will involve the reduction of the Council hours by one hour. In addition, we may probably have to adjourn for some time for tea or lunch—and that is another question to be considered. The Leader of the Opposition also spoke about party meetings being held in the forenoons. If according to Mr. Venkatachalam Chetti the early hours of the day are very hot and therefore if he does not want Members to come to the Council in the forenoon, how is he going to work for the party meetings or any other extra work that has to be done here? That being the case, I do not see that any case has been made out at all for a change. I was surprised, Sir, at the arguments put forward by Mr. Sami Venkatachalam Chetti. First, he said that there is very little work done from 11 a.m. to 2 p.m. He forgets that all the offices in the City, whether they be of the Government or of private agencies, are working from 10 o'clock to 5 o'clock. I do not see why in the Legislative Council alone we should think of cutting the day short by more than half and start work only at 2 o'clock.

"Then, Sir, as regards past history, on which he seems to have spent some time for making researches, I am sure Mr. Sami Venkatachalam Chetti does not want to follow the footsteps of the old Nawabs; and I do not think he is going to have as the avocations those people in those good old days had. The mufassal Members, as I said, are coming here only for the Legislative Council work. Whatever other work they have to do here, they do in the mornings. They come here at 11 o'clock and start work at once and they go back home in the evening at 5 or 6 o'clock and have some exercise. This will become impossible if the hours of work are now changed to 2 to 6 in the evening. Therefore, Sir, from every standpoint, it seems to me that the proposal now made is very unsuited to the work of the Council, more especially to the Members from the mufassal."

* Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—"Sir, I have also to disagree with my Leader. I am sorry for the same, but I have to do so because the Mover himself admitted that he moved this amendment on behalf of the City Members. (An hon. Member: 'He did not

[Mr. Mahmud Schamnad]

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say so.') At least he said 'for the convenience of the City Members.' The reason that he gave as to the convenience of the mufassal Members is not at all convincing, and as was pointed out by Mr. Ramalingam Chettiyar, the mufassal Members come here only for the work connected with the Council. They do not have any other work to do. It was said by the Mover that the time may be from 2 to 7 o'clock and need not necessarily be 2 to 6 as stated in the amendment. That would mean a continuous sitting of five hours in the evening; that is a very tiresome affair and nobody will be able to give any serious attention to the work. If some time is to be given for tea in the evening, that would take away some time out of these five hours. The work of the Council cannot therefore be finished within the time allotted. Surely the Council will have to sit for some more days to finish the work. Therefore, Sir, I oppose the amendment."

* Rao Bahadur A. T. PANNIRSELVAM:—"Sir, I rise to oppose this amendment moved by Mr. Sami Venkatachalam Chetti. The hon. Member from Coimbatore has dealt with all the reasons that can be advanced for retaining the present hours, and I have very little to add to them beyond stating that it would be a real infliction on the Members of the House to expect them to sit continuously from 2 to 6 or, as my hon. Friend, Mr. Venkatachalam Chetti, suggested, to 7 o'clock. If this sort of arrangement will lead to any expedition of work, it can be only in this way: Probably from 2 to 4 or 4-30 p.m. we will be very attentive and afterwards when we begin to be tired out and are not able to really concentrate our attention, the Trasury Bench will be able to ride roughshod over us and get through their business. Beyond that, Sir, I am not able to see any advantage in this proposal, to have a continuous sitting of four hours from 2 to 6. As far as the question of sparse attendance is concerned, which my hon. Friend from the City ascribes to the heavy breakfast or dinner—I do not know what he calls it—and personally, if he takes his dinner at 10 o'clock in the morning, I can only be sorry for him—I would only say that we will continue to have the same thin House when we begin at 2 o'clock for the simple reason that if Members have to be here at 2 p.m. they will have to leave their homes at 1 or 1-30 in a scorching sun. As one coming from the mufassal, I should echo the feelings of my friends from Coimbatore and South Kanara, that we would be really wasting our time here. It is already troublesome for us to have to waste the whole morning and if the mufassal Members are to spend their time idly lolling about, from 10 to 2 p.m., I am sure it will be a very troublesome affair. I therefore very strongly oppose the amendment."

B. POCKER SAHIB Bahadur:—"Mr. President, Sir, I am very sorry that the question is taking a turn which it ought not to have taken. Mr. Venkatachalam Chetti clearly stated at the very outset that he was not moving this motion either to suit the convenience of the City Members alone or on their behalf. He has made the motion after considering the convenience of the City Members, of the Government officials and also of the mufassal Members. So, my Friend,

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Mr. Schamnad, is quite inaccurate in saying that he made the motion only in the interests of the City Members. Now, Sir, one point of view from which we have to look at this question is this: This House, I take it, consists of Members who have other work also to attend to. We cannot assume that this House consists only of Members who have no other work to attend to. It is quite necessary that the Members of the House should have sufficient facilities to attend to their other work also, in addition to attending to the work of the Council. So far as inconvenience to the mufassal Members, is concerned, that is confined to the period from 5 to 6. Even now they are sitting up to 5 p.m.—or they are expected to sit—and if by the proposed change they are inconvenienced at all, it is only with regard to that period from 5 to 6; and I do not think the objection can be so much to their being taxed with work during this additional hour. The real objection of the mufassal Members, if I have understood them aright, seems to be that they are unemployed in the morning hours between 11 and 1-30, i.e., for 2½ hours. My experience of Members coming from the mufassal is, however, that outside the hours they are occupied in this Council, they are very busy doing so many other kinds of work. As a matter of fact, most of them are gentlemen who have got some work or other to do in the City; they accumulate all their work to the period when they have to be here for Council work. Apart from that, is it not really in the interests of the public work which we have to carry on in the Council, that we should have at our disposal two or three hours more in order to study the questions coming up and prepare ourselves for the work to be done in the Council? After all, what is the additional thing that we will have to do? We will be asked to sit for one more hour in the Council, in the place of which we will get 2½ hours in the morning which we can devote for the preparation of the Council work.

“Again, Sir, such of the Members here as happen to be lawyers know what amount of work they have to do to a client whose work is entrusted to them. I take it that every Member of the Council is a vakil representing millions of his constituents. If a vakil has to devote so much time to the work of a single client, how much more should we be devoting to the work that we are carrying on on behalf of such a large number of people? If I have studied the work of the Council in the right manner, I should think that the work of the Council will be more perfectly done if there is more time at the disposal of the Members for studying the questions that come up before the Council from day to day. So, from the point of view of mufassal Members also it is in the interests of work that has to be done here that I would support the change, so that they may have the morning hours at their disposal for preparing themselves for the questions that are to be discussed here.

“There is another thing, Sir. The hours of work in the Parliament is from three to half past ten in the night and there not all the Members are resident in the City—there are many who come from the mufassal. (A voice: ‘They are paid.’) As for pay, it is for my hon.

11-45
a.m.

[B. Pocker Sahib Bahadur] [8th March 1934]

Friends to make a suggestion at the time of the Budget that the Members of this House should be paid. What I am concerned with is the question of efficiency of the work. From the point of view of the work that has to be carried on in this Council, I have not the least doubt that work will be got on much more efficiently than at present if hon. Members have the forenoon at their disposal for preparing and studying the questions that come up to this House for consideration. It is particularly with that end in view that the hours of work of Parliament is fixed from 3 p.m. to half past ten—we are not going so far as that. At any rate by this amendment we are coming nearer to the hours of work obtaining there.

“There are two other aspects which we have to consider. The Conference convened by His Excellency with a view to suggesting these amendments have suggested two points which have to be considered by this House. One of them is that during the time that the Council is sitting, Select Committees which are appointed to consider Bills can sit in the forenoon and transact business. In that way even from the point of view of economy, it will be a gain to the Government. If it is not allowed, the Select Committees will have to sit on days subsequent to the sittings of the Council and this will mean financial loss to the Government, not to mention the inconvenience which will be caused to Members coming from the mufassal leaving much of their work unattended. In consideration of these, Sir, I support the amendment as it is necessary that the forenoon should be saved.

“There is another aspect also and it is very necessary for the Members of this Council to consider—this has been suggested by the Conference in their report—and it is the convenience of the Members of Government and Officers of Government who are nominated as Members and who have to attend the Council. Considering that their time also is the public time, it is the duty of this Council to take into consideration that aspect of the question also. I would request hon. Members not to look at this question as a matter between the city and the mufassal. It is not so. We have to look at the question from the point of view of efficiency of work and saving of public time.”

* Mr. R. MADANAGOPAL NAYUDU:—“Mr. President, Sir, I am really surprised that my hon. Friend, Mr. Sami Venkatachalam Chetti, should move an amendment that we should have the sittings of this Council between 2 to 6 in the afternoon. There are ten members of the Corporation who are also members of this Council. How does he propose to go on with the Budget by having a sitting of the Council in the evening? I am sure all the members of the Corporation will find it inconvenient to attend the meetings of the Corporation. Is he going to suggest morning sittings of the Corporation Council? If so,

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how many will attend, and how many will work? I think that the balance of convenience will be in favour of the present hours of sitting of the Council.

"As regards the one point Mr. Pocker referred to, namely, having the meetings of the Select Committee in the mornings, if really he is anxious that the meeting of the Select Committee should not cost any extra amount to the Government, I for one would, as has been already suggested, ask him if it will not be convenient to have the Select Committee meetings say between 5 to 7 in the evenings. This may be more convenient than having the meetings of the Select Committee in the mornings. Therefore, I feel that the balance of convenience is certainly in favour of the present hours of sitting. A change in the hours of sitting of the Council as is proposed, would certainly jeopardise much of the public work which we, several Members of this Council, are doing elsewhere in the City Corporation and various other institutions in the City."

* Mr. F. BIRLEY:—"Mr. President, Sir, I am one of those who favour this amendment. My reasons are mainly selfish. It must be inconvenient for many Members to attend the Council morning and afternoon and if it can possibly be arranged to sit from 2 to 6 or 1 to 6 if necessary, it would be more convenient to the majority of Members. Personally, I would prefer 6 to 10 in the mornings. (Laughter.) I do, however, hope that the Members will agree that the hours of the Council may be so fixed as to suit the majority of the Members."

* Rao Bahadur Sir A. P. PATRO:—"Mr. President, Sir, the Leader of the European group did not speak without any reason. He said that the strongest reason for his supporting the amendment was that he was selfish. Surely, I will not charge him with anything like that. I would say that he is very reasonable in suggesting, as reasonably as the Mover of this amendment, that the sittings should commence from 6 in the morning to 10 and meet again from 2 to 5. That is no doubt as reasonable as the amendment proposed by Mr. Sami Venkatachalam Chetti. I hope that it is not without reason that the hon. Mover has brought forward the amendment. Whatever may be the practice elsewhere, we, in this part of the country, are accustomed to do our work from 10 or 11 o'clock to 5 o'clock. All the officers commence their work from that hour. Judges of the High Court come to the Bench at that hour and vakils are also before them there. Therefore, absolutely no dislocation of any kind of work either here or anywhere else or any kind of inconvenience at any time has been felt. We have had no inconvenience, nor any section of the House had occasion to represent to the House that they have been handicapped or inconvenienced in their business owing to these hours of sitting. I sympathize with the businessmen. It would be better if they have some time to go to their offices to dispose of work there and come here after attending to their business. I can understand that kind of easy

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work but duty demands more than that, namely, if we are to do duty as Members of this Council, we must so arrange our time to enable us to attend to all our business even if it entails our working longer hours. The more busy a man, the better he ought to be able to adjust his time to his work. Therefore there is no reason whatever to say that any inconvenience is felt by the present hours of sitting. The hon. Mover has some reason but what that reason is he has not disclosed to us as yet. I find that some reason which Mr. B. Pocker discovered on behalf of the Mover is that efficiency of work demands the change. I fail to see what efficiency will be brought about by effecting this change. (A voice: You will better come prepared for the work.) I hope that in due course the hon. Member will enlighten us as to what efficiency will be gained by the Council sitting from 3 to 6 p.m. I have great sympathy with the suggestion of the Leader of the European Party. Surely that will be very helpful to us. Personally I would like to sympathize with him very much but on principle I am not able to do so. Hon. Members say that in the mornings much work could be turned out. What is the work that is going to be done? The Leader of the Opposition is doing his work as Leader of the Party and Party work is getting on without any kind of inconvenience. No member has said that Party work suffered or that Party meetings could not be held on account of the Council sitting between 11 to 5. How Party work would be facilitated and how efficiency could be created by a change in the hours of sitting still remain to be explained. I do not like any change at present. The present system is quite all right."

Mr. ABDUL HAMEED KHAN:—"Mr. President, Sir, it is, I think, the second time to my knowledge that this question has been raised on the floor of this House. Unfortunately, there seems to be a very artificial division made by certain hon. Members between members belonging to the City and those from the mufassal. I wish them to look into this question independently of this artificial and flimsy argument. As it is, in every other country where parliamentary system of Government is carried on, they have adopted the afternoon or the evenings as the time for carrying on parliamentary business. They have not done so without some reason or without an understanding of the condition of the place. When in a country like England which is much colder and climate is certainly very different from the climate of Madras, they are compelled to sit late at nights, sometimes till the early hours of the morning also, I wonder why hon. Members should have any objection to sit not in the night, not late in the evenings, not till the early hours of the morning but later by one hour. The question will then arise as to whether those hours are sufficient for the business that we are expected to carry on. As it is, we meet from 11 in the morning and adjourn at 1-30, excepting on Fridays when we adjourn at 1 p.m. and meet again at 3 p.m. and then we meet at 2-30 p.m. and go on till 5 p.m. Hon. Members who have experience

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of this House and of former Houses, I am sure, are aware of the fact that the longer we sit in this House the less is the business we do. I would like to understand the arguments that have been advanced or are likely to be advanced, that the logical conclusion of shorter hours is no hours at all. I suppose that also can be logic for some logicians, but we are laymen who also wish to be practical men and I do not think we need worry ourselves about this question.

“ Sir, I wish hon. Members coming from the mufassal do not look at the question from that point of view. Arguments have been advanced by hon. Members who have supported the motion that we will have more time at our disposal to devote ourselves—I mean to such of those as do not have any business in the City and even for those who have business in the City—to the preparation of the subjects that come up before us. The library is there, we have got very many libraries and so many other facilities at our disposal, and we do not make use of those facilities in connexion with the preparation for the business of the Council. Most of us come here, of course there are certain honourable exceptions, without preparation. I am sure there are some hon. Members who sit for some hours in the night for the preparation of the subjects that come up before the Council. But in order that we may have more time and to enable us to take advantage of the library and other facilities that we may come across—the Secretariat would certainly be available for them, and the Secretariat can also help them, so that they might minimize the business of the Council—it would be helpful to have the hours changed. It is of course very well understood that hon. Members who are well-acquainted with the subject take less time than hon. Members who are not well acquainted with the subject. Hon. Members may not agree to the change of time now, because conservative as we are, we want to adhere to old things and we do not want any change to be brought about in our habits and customs. As suggested by the hon. the Mover of this amendment, even though they will not agree to a change now in this Council, I am sure they will be compelled under the new Reformed Council to change the hours of our sitting. Without such a change, I am afraid, it will not be possible for us to sit day in and day out for a number of days in the year. The argument to hold the sittings of the Council from 6 to 10 in the morning will not hold good, because the Secretariat will not be there and then it would be inconvenient to the Secretariat and the Council office if they are asked to come very early in the mornings. Of course, it may be convenient for hon. Members to come here, but it would put the Secretariat to a good deal of inconvenience. So, the only thing we can do is to begin our work later on in the day, instead of at 11 or 12, and it need not necessarily be at 2; and in order to have more hours at our disposal it would be better if we meet at 1 o'clock and carry on our work till 6 p.m. with half an hour's interval for tea. Therefore I thought that instead of waiting for the new Reforms for a change, it would be better even for

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this Council if we come to some agreement, to try it as an experiment. I do not think that you should accept the amendment as it is, but instead of 2 p.m. we may begin at 1 p.m. and go on till 6 p.m. in the evening with an interval for tea.

"Then, Sir, with regard to the difficulty that was pointed out by my hon. Friend, Mr. Madanagopal Nayudu, coming as he does from the City, that our work in the Corporation will suffer, I consider that our work there can certainly be adjusted, because even in the Council we do not sit throughout the day. As a matter of fact we have a certain number of days' interval between the presentation of the Budget and the actual consideration of the demands, and on those days we can certainly arrange to have the budget of the Corporation considered and decided upon. I do not think that that argument need stand in the way of our coming to a decision on this question."

* The Hon. Sir MAHOMED USMAN :—"Mr. President, Sir, my hon. Friend, Mr. Sami Venkatachalam Chetti, made no case whatever for the change that he proposed. He referred to the heavy strain from which we all suffer in the Council by meeting here from 11 to 5. I am sure, hon. Members will realize that every kind of work involves some kind of strain or other. To say that it is a heavy strain to meet from 11 to 5 does not carry us any way. He said that Madras being very hot, it is not possible to meet from 11 to 5. I was astonished that a democrat like my hon. Friend, Mr. Sami Venkatachalam Chetti, should have deplored his lot on remaining in this palatial building from 11 to 5 when so many people including some of his voters are working in the hot sun outside. After all, we all know that in the hottest part of the year, namely, from April to July, for about four months, there is no meeting of the Council; so there is no meaning in the complaint.

"Then, Sir, my hon. Friend, Dr. Subbarayan, spoke of the financial responsibility of the Legislative Council. He said that Government alone should not think that they were responsible for the finances of this province and that the Members of the Legislative Council were equally so. But, what I say is, is it not better to run this institution with the minimum of expenditure rather than with the maximum? If we are to sit only for four hours, naturally we have to meet for more days and spend more money and therefore I am sure that hon. Members will agree that in the working of this institution, our aim ought to be that we should not spend more money than what is absolutely necessary.

"My hon. Friend, Mr. Pocker, spoke, of course, for his own personal convenience. He said that as a lawyer he wanted more time to attend to his court work. This argument does not appeal to me. He also said that if we meet for four hours, the House would be very efficient. I repudiate that statement. On the other hand, what will happen is, that the House will not be as efficient as it is at present. Already we know that during the Budget sessions, we are not able to

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finish more than 24 or 25 demands out of 39, when we sit for five hours a day. While we are working five hours a day we are not able to do more than 24 or 25 demands out of 39, surely we will do not more than 20 demands if the working hours are reduced to four. Thus the efficiency of the Council will suffer.

“ I find there has been no unanimity even among the non-official Members of this Council in regard to the matter. Some hon. Members want four hours and others five hours. All that I would suggest is, that the Leaders of the various Groups in the House should meet together and come to some agreement on this question. I agree with what my hon. Friend, Mr. Hameed Khan, has said, and that is, let us wait for a year or two till the new Reforms come into existence. Then we will be in a position to know the exact amount of work which this Council will be called upon to perform, and then I think, will be the time for effecting any change that may be found necessary. If hon. Members then think that the present hours are unsuitable, it is quite possible for them to devise some scheme which may be acceptable to the Government and the Legislative Council. But, I think at present let us continue the present practice.

“ Sir, my hon. Friend belonging to the European Group said that the present hours are inconvenient to them on account of their business. I would not dismiss that contention as Sir Patro has done. I realize the great assistance that Government has been receiving from hon. Members belonging to the European Group, whenever they think that we are in the right. I would request them to come to some agreement with the other groups.

“ Therefore, I would suggest once again, that for the present leave things as they are and when the new Reformed Council come into existence, change the hours, if necessary.

“ I have therefore to oppose this motion, because as I have said already the expenditure will increase and the efficiency of the Council will be affected to a certain extent by the proposed change.”

* Mr. SAMI VENKATACHALAM CHETTI:—“ Mr. President, it is very rarely indeed that we provoke the Hon. the Leader of the House. I am glad that my proposition served the purpose of eliciting a lengthy speech covering a number of subjects which I never anticipated to cover. Sir, my motion was an innocent one and it was not moved purely in the interests of the City Members. I only said that it will no doubt confer a good deal of benefits to Members representing the City—and there are also Members belonging to the mufassal living in the City—and I daresay it would not be a matter of inconvenience to hon. Members representing the mufassal. I am not going to base my case on that point. I am only repeating my argument that sitting from 2 to 6 or even 7 as the case may be, would certainly be more convenient than sitting from 11 to 1-30 and again from 2-30 to 5. It will be a matter of convenience also to hon. Members representing the

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mufassal. Without knowing by experience the advantages of the change and without knowing what the convenience would be, to say that the change would be inconvenient, it seems they are objecting merely without point against our representations. I am only surprised at the speech of Sir Patro and apart from serving no purpose, his speech was incoherent. So far as the City Members are concerned, I am sorry that my hon. Friend, Mr. Madanagopal Nayudu, has been set up to oppose this proposition"

Mr. R. MADANAGOPAL NAYUDU:—"Mr. President, Sir, on a matter of personal explanation, I repudiate the statement that I have been set up by anybody to oppose the motion. On the other hand, I oppose it in my individual capacity."

Mr. SAMI VENKATACHALAM CHETTI:—"Very well then. I take it that he has put his case on his own behalf. Sir, probably, he forgot that at one time Government also was of this view, as to whether the session of the Council should begin from 2 o'clock. If the Government have now changed their view, that is a different matter, but the Hon. the Leader of the House after an elaborate speech said that if the Leaders of the Groups confer and suggest constructive methods, Government would have no objection; and that is what we are doing. At the Conference held for the purpose of amending the Standing Orders, this matter was brought up and the Conference did not come to any decision. Probably they left the matter open for the decision of the House. Therefore it is a logical sequence of that Conference that the matter should be considered at a meeting of the Legislative Council. If the Government, in spite of the open mind that they assumed during the time of the Conference, now want to marshal their arguments against it, I have only to say that we are disappointed. I thought the Government will be neutral in this matter, allowing the matter to be settled according to the convenience of the Members coming from the districts. It is immaterial to the Government when it meets provided the hours of work are the same. I am rather surprised that the Hon. the Leader of the House should have referred to Members remaining in this palatial hall in so patronizing a way provided by the benign British Government of the Hon. Sir Mahomed Usman, while the voters are basking in the hot sun. If the voters are in the hot sun, it is neither his fault nor that of anybody. (A voice: It is the Government's fault.) If Hindu theology should be accepted then, Government representing God ought to be responsible for this. These views I put before you and leave the matter entirely to the House."

The motion was put and lost.

* Mr. SAMI VENKATACHALAM CHETTI:—"I move—

*'In line 5 of the proviso to the Standing Order omit the words
"which has been the subject of a question on that day"
occurring after the word "importance".'*

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“ Sir, with regard to this Standing Order, I unhesitatingly acknowledge with gratefulness the opportunity provided to the Members of this House to discuss matters of urgent importance at the end of the day. This is a new Parliamentary method, and the report says that His Excellency the Governor was responsible for introducing this change. But I am afraid that what is sought to be given by this change is likely to be taken away by the qualifications that are attached to raising a question at the end of the meeting. It is said that a Member can raise a debate on any matter of importance which has been the subject of a question on that day. From all points of view, I am afraid what we are likely to gain from this Standing Order is lost in other respects. In the first place, if a debate on any matter of urgent importance is allowed at the end of the meeting for about an hour without any division or without any full debate, the Hon. the President and the House might feel inclined to disallow ordinary adjournment motions. Ordinary adjournment motions have got a special significance of their own. They are primarily in the sense of a censure on the Government. As a matter of fact, that is the only opportunity for the Opposition to test the strength of the Government from time to time. If, on matters of such importance also, the debate that is contemplated in the new Standing Order is allowed, there may be a tendency on the part of the President and of the House to disallow important motions as adjournment motions. Apart from that, if the raising of a debate is confined to a matter which is the subject of the question of the day, it will further restrict the scope of the subject which can be taken for discussion at the end of the meeting. It would look, Sir, that, if the matter that should be taken up for debate at the end of the meeting, should be confined only to the subject raised during the question time, as there is ample scope for the hon. Members of the House to put supplementary questions on any subject that has been raised by means of a question, it would appear to be superfluous to allow the same question to be debated at the end of the meeting. But there may be instances when such subjects may be raised on a question to which the Government might not be in a position to answer fully at the time, but the Government might be able to get information which may be placed later on in the day. I quite concede it will be very convenient on such matters to raise such matter at the end of the meeting. Supposing two or three important matters are raised in question time in the course of one day, if at the end of the meeting only one question can be raised, the other two questions will be barred by time from being raised at any time. Therefore, Sir, the privilege that is sought to be conferred by allowing this matter to be raised at the end of the meeting will be very much restricted and will even prove disadvantageous to the Members if it should be confined to the subject that is raised during question time. I only suggest that any matter of urgent importance may be raised just after the question time so that the President might have fixed up for that evening for half an hour. I daresay that even the Government might feel the necessity for such a change. After all, putting down questions for answers for

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a particular day is not guided by any particular rule. As the answers are received, they are put down on the paper. Therefore, the Secretary will be not in a position to choose important or unimportant questions. They will be put down merely as a matter of routine. It might happen therefore on a particular day there may be two questions of very great importance and on a particular day there may be no questions of importance at all. It will only mean that very important questions for which opportunities are intended to be given by this rule cannot be on any day, except on the day when the question is raised. I do not think any convenience is caused by the amendment to the Government. If His Excellency and President are so generous as to give this Council an opportunity for a discussion, let it be given in full measure. I do not think the Parliamentary procedure restricts the discussion of such matters only during question time and on questions. I am therefore placing amendment for the acceptance of the Hon. the Leader of the House and the Government."

* Dr. P. SUBBARAYAN:—"Mr. President, Sir, I second this amendment. The amendment, as it left the Conference, Mr. President, if you remember right, was as follows:—

'Provided that on notice given to the President, the President may in his discretion adjourn the Council at 5-30 p.m. instead of at 5 p.m. to enable any member to ask for any information or statement from a Member of Government on any matter within his special cognizance, and such Member of Government to give such information or make such statement.'

"As has been now amended and put forward before the House, you would see this right is restricted to this extent. The Member is allowed to raise a debate on any matter of importance which has been the subject of a question on that day. I have been told that the amendment as it now stands before the House is more in consonance with Parliamentary practice than what was suggested by the Conference. But to that my answer will be this. In the House of Commons, questions are put and Members of Government have got to give the answers within a fixed time. Therefore a Member who puts the question is always present on that day and the answer is given, and if he is not satisfied with that answer, he naturally raises it under the half an hour adjournment rule. But, Mr. President, you know the present practice as it prevails in this House. If only hon. Members would turn to the questions answered and the length of time taken to answer questions—for instance to-day question 727 put by my hon. Friend, Mr. A. S. Sahajanandam, was given notice of as long ago as 5th February 1934, and has been answered to-day, that is 8th March 1934. More than a month has passed since this question was put down. I am not taking this question as an example of the urgency of the matter concerned, but by the time the answer is put down, we have not got the House of Commons practice by which the Member concerned gets a notice if any question is to be answered. The hon. Member was not even here this morning and therefore was not in a position to take advantage of the half an hour adjournment if it existed. If hon. Members are prepared to follow Parliamentary practice in other matters, i.e., giving answers to the questions

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put, give notice to the Members asking questions about the time of answering it, and giving the Member an opportunity to raise a question by adjournment if he is dissatisfied with the answer. But if, according to the present practice, the answer is given months after the question is put down, I do not think any purpose will be served by this amendment, because the urgency of the matter would have passed long ago and the Member concerned may not be in a position to raise the question on an adjournment at all. Mr. President, if you remember right, this method was proposed by the Conference because there was a feeling that the time of the House was being wasted on adjournment motions even on matters which concern purely local interests. Adjournments have been moved when there was no intention either to censure or take to task the Member of Government concerned, in charge of the department. It was felt there must be some method by which hon. Members of the House may be able to raise any urgent and important matter and thus give opportunity to the Members of Government to explain why such action was taken. Not only would it be an advantage to the hon. Members of the House, but it will be an advantage to the public also. It would in a way allow opportunities to Government to explain a particular policy which they have adopted on a particular question. On the other hand, if this right is going to be restricted by means of questions put, I am afraid then it will not be as useful as people think. I would therefore personally appeal to the Hon. the Leader of the House to see whether our Standing Orders cannot be amended at least in the matter of questions so that urgent questions are put and Members of Government may be prepared to answer them in a day or two. If the answers given by the Members are not satisfactory, the Member who puts the question may be able to raise the question in the afternoon on an adjournment motion.

“ But as the rule stands now, even though an urgent question is admitted and the member concerned is fortunate enough to obtain your consent for the question being put, it may still not be put, because the Hon. Member of Government who is in charge of the department concerned, might refuse to accept short notice. Therefore, unless some such method could be found by which Hon. Members of Government may be in a position to give urgent answers to short notice questions enabling the interpellator to raise the question on an adjournment motion, if he is not satisfied, it is of no use. I am afraid, this amendment, even though it may look as if we are bringing our practice in consonance with the practice in the House of Commons, will not really lead us to the position which we want to attain. I would therefore ask the hon. the Leader of the House to see whether we cannot find out a method by which the object we have in view may be achieved.”

* The Hon. Sir MAHOMED USMAN:—“ Mr. President, all that I should like to point out is that what we are now doing is to give an additional privilege to the Members of the Legislative Council. As at present, hon. Members will have the right to ask questions and, if they

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are not satisfied with the answers, move for the adjournment of the House to censure the Government. The present proposal is a new privilege by which, if an hon. Member who puts the questions is not satisfied, he can raise the question during the half an hour enabling the Member of Government to give a detailed reply. If the hon. Member is not satisfied even with this, it is open to him to have the House adjourned to censure Government. If the condition that such a motion should be preceded by a question being asked should be done away with, I am afraid it is likely to be misused and almost everyday there may be adjournments and it might interfere with our normal work. Being a new thing, I would suggest that we should work this for some time, and, if it is to the advantage of the House, well and good; otherwise it will be necessary for us to consider the change suggested by Mr. Sami Venkatachalam Chetti.

"Then, Sir, Dr. Subbarayan made a constructive suggestion that, for the proper working of this, the Government should undertake to answer urgent questions sooner than we are doing at present, on short notice. Sir, I shall have the suggestion of my hon. Friend examined. I would therefore request the hon. Members to pass this and work it for some time and if it is not successful we can consider the necessity for a change. I hope the hon. Mover will withdraw his amendment."

* MR. SAMI VENKATACHALAM CHETTI:—"Sir, I agree it is an additional privilege, but I thought the privilege may be left unhampered by other qualifications. But if the hon. the Leader of the House wants some time to see how this privilege works, I would be wrong to obstruct such a gesture. I daresay, however, that there is no probability of this privilege being abused by the House inasmuch as the permission of the Hon. President, has to be obtained to raise the question.

"I beg leave to withdraw my amendment."

The amendment was, by leave, withdrawn.

Items II, III, IV and V—Standing Orders 4, 5, 7 and 8—were then put and carried.

VI—Standing Order No. 19.

* MR. SAMI VENKATACHALAM CHETTI:—"Sir, I move to—

'Omit the words "and obtain his consent . . . to make the motion" at the end in lines 7 and 8.'

"Sir, the amendment I am moving is really a very important one. I expect this House to take a dispassionate view of the change that has been suggested by the Select Committee on Standing Orders. Standing Order No. 19 runs thus:—

'A Member desirous of moving a motion for an adjournment of the business of the Council for the purpose of discussing a definite matter of urgent public importance shall, before the commencement of the sitting of the Council at which he proposes to ask for leave of the Council to make his motion, hand to the President a written statement of the matter proposed to be discussed and obtain his consent to his asking for such leave to make the motion.'

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“ As it is, a motion for adjournment for the purpose of debate is subject only to two restrictions, namely, the leave of the President and the leave of the House. There is a third restriction and that is the right of His Excellency the Governor to disallow the motion at any stage. So far as His Excellency's right is concerned, it is a privilege in respect of every subject that is brought up before this House irrespective of other sanctions. Therefore, ignoring for the present His Excellency's right to allow or not, a motion, there are only two conditions which must be satisfied before a motion can be moved in the House. The history of these urgent motions seems to me that it is the privilege of the non-official Members of the House to interrupt the agenda that has been put down for the consideration of the House. It is the only right by which a Member of the House can stop the discussion of other matters to take up a matter which in his opinion is urgent. But, in order that the individual will might not dominate over the collective body, it is provided that that right to interrupt the agenda should be subject to the decision of the House. For this purpose a vote was generally taken on the motion made for considering a particular matter which is considered to be urgent irrespective of the speaker's permission. But, later on, it was also provided that, in order not to cause even the inconvenience of suspending for some time the regular business of the House by a vote being taken on the urgent motion, the speaker's permission was necessary. But all that the President has got to do is to decide whether the motion for which leave is sought to be moved satisfies the conditions laid down for the moving of ordinary motions. For moving ordinary motions there are certain restrictions. One of them is that the motion should not refer to a matter which is not allowed to be discussed by the Statute. It must not raise a matter which is not within the purview of the Local Government. All these tests have to be applied even to motions for the adjournment of the House. In the place of ballot and the scrutiny at the Secretariat of the Hon. the President, there is the scrutiny by the Hon. the President of the motion handed in by the Member wishing to make it. He will examine whether the motion satisfies the conditions laid down in the Standing Orders, and if it does so, allow the Member to ask for the leave of the House. If, at this stage, there should be any objection, the President would ask the Member to produce sufficient strength in order to allow that motion and if, more than 20 Members, according to the Standing Orders, come forward to support him, the motion would be allowed to be moved at a particular time fixed by the Hon. the President. This has been the practice hitherto followed in this Council. There is no other ground on which the President can exercise his authority of disallowing motions. The conditions under which he can disallow motions are laid down in the Standing Orders. It was never the intention of the framers of the Standing Orders or of the Legislative Council instructions to invest the President with any power irrespective of the powers laid down in the Standing Orders. It was not intended to invest the President with any autocratic power. As a matter of fact, if you examine the Standing Orders which are observed

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and the procedure that is maintained in the House of Commons and the general instructions guiding the procedure there, you will find not a word about the consent of the President being taken outside the House and in his room. As a matter of fact, there is a distinct statement in one of the small volumes found in the Library that this power was not intended as a general power of suppression of motions. What is exercised by the President is only an authority that can be exercised in the House subject to such criticism or censure as violation of the rules will entail upon the Speaker himself. If, in addition to these two conditions, the consent of the President also is insisted upon, as in the change now sought to be introduced, any Member of the House will have to anticipate what the urgent motion that he may have to move will be. As a matter of fact there are various instances necessitating the moving of urgent motions consequent on the unsatisfactory nature of the replies to questions put in the first hour of a day. If one such urgent motion is to be raised, it is impossible for the Member concerned to see the President in his room before the commencement of the sitting of the House and obtain his consent. I daresay it is not the intention either of the Government or of the President to rule out any urgent motion that may arise from the subject raised during question time. If, in these cases, you insist upon previous consent being obtained from the President, you will be practically ruling out the moving of urgent motions that might arise out of the questions answered by the Government. That is one inconvenience.

“ The second reason is that it becomes necessary for the President to remain in his room sufficiently early to receive urgent motions and decide whether he could give his consent or not. Supposing, Sir, the Hon. the President falls ill on a particular day and we have no idea who is going to be the officer who will preside on that particular day.

“ It may be the Deputy President, or it may be one of the Panel of Chairmen. Well, if an urgent motion has got to be tabled for that day, from whom is the hon. Member to obtain consent? That is the second thing.

“ Thirdly, what are the conditions under which the President is to allow or disallow, or rather, give or refuse to give his consent? Is his consent guided by any known or fixed principles? Or is it merely a matter of his will and condescension? I do not think any President would like to be put in a position of exercising his authority unguided by some rules or other. Suppose I give notice of a motion to the President, am I to depend on his condescension? If it is said that he has got certain principles to guide him, but that they must be different from those which are exercised in the House, what are those principles by which he would decline to give his consent, and which are not to be discussed in the House? That thing has not been made clear. I am not saying for the moment of other reasons which would influence the President to give or refuse his consent.

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"It is said, supposing more than one Member rises in his seat to make an urgent motion, whom should the President allow? Sir, that difficulty will arise, whether it is in the House or in his room. If it is in the House he can easily assess the relative importance of every motion which may be brought up and allow only one of the motions, disallowing the rest, because only one motion can be made. Moreover, the Standing Orders do not contemplate the possibility of more than one motion being raised during a particular day. After all, the person who catches the eye of the speaker will be the first to move the motion of adjournment, or among the several people that may rise up, as in the case of other motions, it is the person who catches the eye of the speaker that will be asked to move for leave, and the President, thereupon, having regard to the Standing Orders, or the tests provided in the Standing Orders will give his leave. Moreover, the Standing Orders also say distinctly that the handing over of the motion is just at the time when the Member asks for leave. Therefore it is clear that obtaining consent does not mean obtaining consent to make a motion asking for the leave of the House. Obtaining consent is only with regard to making a motion, and not for asking for leave to make a motion. I think the confusion arises in this way: it is presumed that the word 'consent' refers even to asking for leave. I do not think so, Sir. The 'consent' applies only to make a motion. Having regard to the fact that in none of the Standing Orders, either here or in the other rules of the Council Manual, there is provision for the previous consent of the President being taken and having regard to the fact that during the earlier period of this Council, no such consent was even asked for even for a motion asking for notice to move—all these things only corroborate my statement. Sir, I distinctly remember the time, when, soon after I became a Member of this Council for the first time, it was my lot to move an adjournment motion. The late Sir P. Rajagopalachariyar was then the President. Perhaps it is a matter well within the recollection of some hon. Members here. When I spoke to him in his room about the adjournment motion and was about to hand over to him a copy of the motion that I intended to move, he distinctly told me in so many words that the time to hand over the motion was at the time of asking for leave to make the motion. Though he knew the terms of the notice then, he did not officially receive a copy of the statement. And subsequently when I made the motion in the House, he received a copy of it; and no doubt he disallowed it. But that is quite intelligible. And latterly this question of previous notice cropped in on account of a change in the Standing Orders and fixing a time for the discussion of that urgent motion either on that day itself or the next day. It was due to the fact that Government might not be in the possession of all the information in respect of which the adjournment motion was moved that we agreed to the suggestion that the motion might be taken up the next day. It was due to this that the question of previously handing in the motion to the President came in. And during your predecessor's time, Sir, we acquired

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the idea that we should not surprise him with any new thing during the proceedings of the House. That was why he insisted upon the notice of an adjournment motion being handed over to him earlier. We did not object to that kind of thing, because there was no necessity to make any complaint. If necessary, if the President feels that he should be forewarned of a person intending to make a motion, what he used to do was only to ask for sufficient notice, and he did not insist upon the consent being taken. I therefore submit, Sir, that the change that is introduced is a change crippling the rights of the House; it is a change imposing a very irksome duty on the President and it is a change not calculated at any rate for either the convenience or the expedition of the business of the House. I therefore move that the words 'and obtain his consent to his asking for such leave to make the motion' be omitted."

* Dr. P. SUBBARAYAN:—"Mr. President, Sir, if I explain to my hon. Friend, Mr. Sami Venkatachalam Chetti, how this amendment came to be adopted after consideration by the Conference, he may find out why this amendment has been proposed. The actual practice as it exists in the House to-day, Mr. President,—if you remember rightly, and it has become a convention—is that if a member wishes to move an adjournment of the House he should give notice of it to the President in his room before the House sits, obtain his consent and move it afterwards. (Sami Venkatachalam Chetti: 'No, no. That is not so.') No, it has been the practice in this House, and I believe, it is being followed in all the other Indian Legislatures also. Of course, my Friend, Mr. Sami Venkatachalam Chetti, may quote the House of Commons practice. If the hon. Member is in the knowledge and possession of the facts existing in the House of Commons, he will find that the Speaker of the House of Commons is perhaps the biggest autocrat known in any House. His ruling prevails, and whatever ruling he may give, it has to be observed; and you will find an adjournment motion being disallowed, even though the Member of Government has no objection to its being moved, for if the Speaker finds that that privilege is being misused, he refuses to allow the adjournment motion to be moved. But here, on the other hand, I think our Presidents have been rather kind in the matter of adjournment motions. Time and again adjournment motions have been allowed, though, as a matter of fact, the strong hand of the President might have put an end to some of them, as they were not of such urgency or of importance. Therefore, if the restrictions imposed by this amendment give power to the President—and, after all, the President does not belong to any party of the House, but is only a keeper of the privileges of the House—I am sure any President, who sits in your Chair, Sir, is not going to misuse the power that is being vested in him. Therefore, I would ask my hon. Friend not to press his amendment, because, after all, it is confidence we are placing in the Chair and not in the Government. Suppose if the motion had been 'that the consent of the Member of the Government concerned,' I

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would have been the first to vehemently oppose it. But when it is vested in the Chair, I do not think, we, the Members of the House, need be concerned with it, because after all, the President is the keeper of the privileges of the whole House, and as such he will know whether a matter is urgent or important. And I am sure, Mr. President, you or your successors in office are not going in any way to restrict the freedom of the hon. Members of this House in raising questions of urgency or of public importance.

"And besides, I would point out to my hon. Friend, Mr. Sami Venkatachalam Chetti, this, that if a President is so biassed or partisan as to help only one particular side of the House, we have it in ourselves to teach such a President a lesson, because a motion of no-confidence in the President can certainly be moved. In my opinion it does not matter if the motion is lost. For the fact, that the President has acted in such a way as to give cause for such a motion being moved, will still stand against his impartiality."

* Khan Bahadur YAHYA ALI SAHIB Bahadur:—"Mr. President, Sir, after the lucid speech of the Leader of the Opposition I do not think there is much to be said in favour of the amendment of Mr. Sami Venkatachalam Chetti. My view of the amendment is that it will not serve the purpose for which it is intended and that further, obviously, it is impracticable. My hon. Friend is aware that a provision is made under the Legislative Council Rules, the effect of which is that the previous consent of the Chair has to be obtained before an adjournment motion is moved. The Legislative Council Rules are of greater force than the Standing Orders, inasmuch as they have been framed under powers vested in the Secretary of State under the Government of India Act. Therefore they are of higher authority than the Standing Orders. Rule 11 of the Madras Legislative Council Rules runs thus:—

"A motion for an adjournment of the business of the Council for the purpose of discussing a definite matter of urgent public importance may be made with the consent of the President."

"The rule of course does not specify the time when that consent has to be obtained. But we are aware of the fact that the same kind of language is used in other Acts, from which we can understand when that consent has to be obtained, and therefore when the Legislative Council Rules prescribe previous consent, we naturally know when that consent has to be obtained, i.e., the consent has to be obtained before the motion is made, and not as part of the making of the motion. Therefore my submission is that the power proposed to be vested in the President with regard to the giving of consent comes in only at a stage anterior in point of time to its being moved in the House. Besides, Sir, the further stages are described, such as the handing over of the paper and later on the President allowing or disallowing the motion on the ground of urgency or otherwise which has to be done in the House. Naturally these come in after the giving of the consent. Hence I feel, Sir, that this amendment is altogether ineffective and impracticable.

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"On the other hand the restrictions referred to by Mr. Sami Venkatachalam Chetti are still there in spite of the Standing Order; and so even if the Standing Orders are amended as desired, there are the Legislative Council Rules, which will still require that such consent should be previously obtained. Therefore it is I say that the amendment, even if it is carried, will not achieve the mover's object.

"With regard to the second aspect adverted to by Mr. Sami Venkatachalam Chetti, I wish to say a few words. I believe he said that the new Standing Orders practically give greater powers to the President, in that he is being vested with the power to consider the question even at the initial stage whether he should give his consent to an adjournment motion or not long before it is brought before the House. The object of moving an adjournment motion is that the Government should be in a position to consider over the matter and make a statement on the question raised in the motion. If the hon. Member who wishes to raise a debate on an adjournment motion does not want that the Government should make a statement on the question that is raised in the adjournment motion, then he need not give notice of moving his motion. So the object of giving notice of moving an adjournment motion in the room of the President is that he should be in a position to judge whether the Government will be able to come forward on that day itself and satisfy the hon. Member who gave notice of such a motion with regard to any information which he wanted or any grievance which he wanted to ventilate. If the President is given an opportunity of sounding this matter to the concerned Member of the Government and finding out whether the latter is prepared to come forward on the very same day with any information that the hon. Member who is going to move the motion wants or whether the Government Member is going to object to it, then it will be a great help to all concerned.

"Secondly, supposing the President is unaware of such a motion being made and as soon as questions are over and the work of the day is about to be taken up, he finds that a number of Members stand in their places thus signifying their intention to ask for leave to move adjournment motions on various matters, the President may not be able to decide all on a sudden one way or the other. As one of my hon. Friends pointed out, if there are multiple adjournment motions it will be difficult for the President to come to a conclusion as to which of them is comparatively more important than the other without being able to devote sufficient time for it. So any decision which he may make on the spot without applying his mind to the subject for a sufficiently long time, may expose him to all kinds of animadversions from the various sides of the House. I therefore submit that the amendment of my hon. Friend is not likely to promote smooth working of the Standing Orders. I therefore oppose the amendment."

* The Hon. Sir MAHOMED USMAN:—"All that I would like to say is that enough has been said by my hon. Friends, Dr. Subbarayan and

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[Sir Mahomed Usman]

Mr. Yahya Ali, as to why the Government cannot accept this amendment. Even if this amendment is accepted, it will be absolutely ineffective, for according to Rule 11, the consent of the President is necessary. The present practice has not given us any trouble. On the other hand it has smoothened matters. Supposing there are two adjournment motions and the President has to decide which of them shall have preference, then he would like a discussion in his room rather than in the open Council. Therefore the consent of the President must be taken before moving an adjournment motion and I hope my hon. Friend, Mr. Sami Venkatachalam Chetti, will not press his amendment."

* Rao Bahadur C. NATESA MUDALIYAR:—"There was a convention in this House that any adjournment motion to be moved was to be given notice of, though not legally, at least the President being told about it in his room. This was the practice even when the Council was first formed and Sir P. Rajagopalachari was its President. There was not a similar Standing Order then. In spite of that, we, in the Council, used to know that an adjournment motion was coming most probably on account of informal information which the President gets of the motion. What was then not legal is now sought to be legalized and we should be grateful to the Conference for attempting to legalise it. We have got a President who is always very anxious to safeguard the privileges and liberties of this House. So I request my hon. Friend, Mr. Sami Venkatachalam Chetti, not to press his amendment, taking into consideration what my hon. Friends, the Leader of the Opposition and Yahya Ali Sahib, were mentioning in their speeches."

* Mr. SAMI VENKATACHALAM CHETTI:—"I am sorry my hon. Friend, the Leader of the Opposition, though he set up an example of discussing these matters irrespective of party leanings has not thrown any light on the question that has been raised. I must say that my hon. Friend, Mr. Yahya Ali, has attempted at any rate to understand the motive and possibly the objections which arise from the change that is proposed. But I do not know if it was deliberate or unintentional that he omitted to make a distinction which exists between a motion for adjournment of the business and leave to make a motion for adjournment of the business. He is too much of a lawyer not to have noticed it. I should think the rules have made the distinction quite clear between a motion for adjournment and between a motion asking for leave to make a motion for adjournment. At the time of making the motion for adjournment the consent of the President ought to have been obtained. For leave to make the motion the consent of the President is not necessary. The President's consent can only be given in the open House provided the motion satisfies the conditions laid down under the Standing Order. The power vested in the President under Rule 11 can be exercised in the open House. Why should it be done in his room? It is not a consideration of Rule 11 that must govern the refusal of the consent. It must be different from what is laid

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down in rule. There are other things which are laid down in the Standing Order which must govern the giving of consent or the refusal to give consent and which must influence the President one way or the other. That is my point. It is no doubt a fact that in the other Provincial Legislatures this sort of consent is being obtained, and we accept that statement. But I am not sure with what other qualifications that that consent is got. It is a convention set up by the Conference of Presidents. I even now assert that the consent of the President is not necessary. If the President asks the opinion of the House and, if more than 20 members stand in their places, then he gives his consent, if the other conditions are satisfied. Some distinction ought to be made between 'notice' and 'consent.' I agree with hon. Members that the President should be forewarned of an adjournment motion being moved in the Council. Notice does not mean consent. What we are now doing is we are giving notice to him and he says 'you may make a motion.' That does not mean that his consent was final and that he has exercised every other right which he can exercise in the open Council. So with these remarks I press my motion."

The motion was put and lost.

Items VI, VII, VIII and IX (Standing Orders Nos. 19 and 20, 29, 29-A, 32 and 37) were put and carried.

Item X.—Standing Order No. 39.

* MR. SAMI VENKATACHALAM CHETTI:—"Sir, I have given notice to move the following amendment:—

- (4) In the proposed paragraph (3) (iii), in line 2, *insert* the words "or consequential" between the words "relevant" and "to."
- (5) In the proposed paragraph (6), *for* the second sentence, *substitute* the sentence "A Select Committee may sit at Madras or at the headquarters of the Government while the Council is not in session as may be fixed by the Member of Government concerned."

I do not move the first part of the item. As regards the second I concede it is wrongly worded. If the Hon. the Leader of the House is willing to agree to my amendment he may do so. Anyhow I shall explain my position. According to the draft amendment, the Select Committee may sit either at Madras or at the headquarters of the Government if it sits anywhere outside its usual place. It cannot sit anywhere else except by a resolution of the Member in charge of the Government while the Council is in session. What I wanted to provide was that a Select Committee which was formed and which was going on with its work might feel the necessity of changing the venue and

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may like to sit at any other place away from the headquarters of Government while the Council is not in session. If the Member in charge of the portfolio is agreeable, he may on his own initiative make the Select Committee sit outside the headquarters of Government. It is only a matter of convenience of the Government and if the Hon. the Leader of the House sees the reasonableness of my proposition, he may agree to my amendment."

* The Hon. Sir MAHOMED USMAN:—" I am sorry I am unable to see the reasonableness of the proposition. Hence I cannot accept it."

The amendment was, by leave withdrawn.

Items X to XVII (Standing Orders Nos. 39, 40, 41, 43, 48 and deletion of Standing Orders Nos. 60 and 64) were put and carried.

* The Hon. Sir MAHOMED USMAN:—" I now move that the amendments be passed. In doing so, I should just like to express our most grateful thanks to His Excellency the Governor for the great interest he has shown in the working of these Standing Orders and for the lead he has given us by bringing about a Conference with the Hon. the President, the Hon. the Leader of the Opposition and myself, and also for the interest he has taken in explaining the reasons to the Select Committee that met him informally as to why these changes were made. I must also say that we are very thankful to the Secretary to the Council for the able assistance he has given both to the Conference and to the Select Committee in connexion with these Standing Orders."

* Dr. P. SUBBARAYAN:—" In seconding this motion, I associate myself with the remarks that have fallen from the lips of the Hon. the Leader of the House. His Excellency was certainly most helpful in telling us the procedure that is followed in the House of Commons. We are indeed grateful for the additional privilege that has been given to this House by the amendment of Standing Order No. 4. I admit that it is advantage, but at the same time I may say that it does not go far enough. We are thankful to His Excellency for the help given in arriving at conclusions. But the Hon. the Leader of the House has said that if in the working of the Standing Orders the Government feel that the power given is such as cannot be made much use of, they will bear this in mind when amendments to Standing Orders are further considered.

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" In conclusion, I wish to thank you, Mr. President, for the part you took as Chairman of the Select Committee and our indefatigable Secretary of the Legislative Council for the way in which he drew up the Report of the Conference and for the work he did for the Select Committee in bringing together the various conflicting amendments and drawing up its report. With these words, I second the motion of the Hon. the Leader of the House."

The question that the amendments be passed was put and carried,

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V.—A BILL TO AMEND THE MADRAS NURSES AND MIDWIVES ACT, 1926, FOR CERTAIN PURPOSES (BILL No. 8 OF 1933).

* The Hon. Sir MAHOMED USMAN :—“ Mr. President, Sir, I beg to present the Report ^a of the Select Committee on the Bill to amend the Madras Nurses and Midwives Act, 1926, for certain purposes (Bill No. 8 of 1933) and move that the Bill as amended by the Select Committee be taken into consideration.”

The Hon. Mr. P. T. RAJAN :—“ I second it.”

The question that the Bill as amended by the Select Committee be taken into consideration was put and carried.

Clause 1.

Clause 1 was put and carried.

Clause 2.

* The Hon. Sir MAHOMED USMAN :—“ Mr. President, Sir, the amendments I have given notice of are merely verbal amendments intended to make the meaning clear. I move, Sir, that in new clause (b) of clause 2 (i) for the words, ‘ nominated by the Government ’ the words ‘ nominated by the Local Government ’ be substituted.”

The Hon. Mr. P. T. RAJAN :—“ I second it.”

The amendment was put and carried.

* The Hon. Sir MAHOMED USMAN :—“ I beg to move the following amendment. In clause 2 (i) (d)—

‘ For new clauses (i), (j) and (k), substitute the following clauses, namely :—

- “ (i) one member, being a person registered under this Act, elected in the manner prescribed by such of the members of the Trained Nurses’ Association of India as are so registered;
- (j) one member, being a person registered under this Act, elected in the manner prescribed by such of the members of the Nurses’ Association of Madras as are so registered;
- (k) one member, being a person registered under this Act, elected in the manner prescribed by such of the members of the Nurses Auxiliary of the Christian Medical Association of India (South India branch) as are so registered; and ”.

The Hon. Mr. P. T. RAJAN :—“ I second it.”

The amendment was put and carried.

Clause 2, as amended, was put and carried.

The Preamble was put and carried.

The Hon. Sir MAHOMED USMAN :—“ I now move that the Bill, as amended, be passed into law.”

The Hon. Mr. P. T. RAJAN :—“ I second it.”

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* Rao Bahadur C. NATESA MUDALIYAR:—" Mr. President, Sir, I heartily congratulate the Hon. the Home Member for the trouble he has taken in having this Bill passed into law. There were grievances that there were not enough number of representatives of the Nurses' Association on the Council and also that the Director of Public Health, who is in charge of the Child Welfare Scheme and other public health activities had no seat on the Council. All these grievances have now been redressed by the Bill which has been brought forward by the Hon. the Home Member and which is now about to be passed into law. In this connexion, I wish to express my thanks not only to the Hon. the Home Member, but also to the Secretary to the Legislative Council, to the Surgeon-General, the Director of Public Health and the representatives of the Nurses' Association who helped us in the consideration of the Bill in the Select Committee. I once more congratulate the Hon. the Leader of the House."

The question that the Bill be passed into law was put and carried.

VI.—A BILL TO AMEND THE MADRAS LOCAL AUTHORITIES ENTERTAINMENTS TAX ACT, 1926, FOR CERTAIN PURPOSES (BILL No. 7 OF 1934).

* The Hon. the RAJA OF BOBBILI:—" I beg to introduce a Bill to amend the Madras Local Authorities Entertainments Tax Act, 1926, for certain purposes (Bill No. 7 of 1934) and move that the Bill be taken into consideration.

" As the law stands at present, it is necessary for a local authority before levying the tax to apply to the Local Government for sanction. But before they could apply, they would have to meet and decide the question. In the case of entertainments of very short duration, it has been found by experience it was too late by the time all these formalities had been gone through. It is therefore proposed in this amending Bill to authorize the executive authority of the local body to make the application to Government in cases of urgency and get the sanction of Government for the levy of the tax."

The Hon. Mr. P. T. RAJAN:—" I second it."

The question that the Bill be taken into consideration was put and carried.

Clauses 1 and 2.

Clauses 1 and 2 were put and carried.

The Preamble was put and carried.

The Hon. the RAJA OF BOBBILI:—" Sir, I beg to move that the Bill be passed into law."

The Hon. Mr. P. T. RAJAN:—" I second it."

The question that the Bill be passed into law was put and carried.

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VII.—A BILL TO FACILITATE THE WORKING OF CO-OPERATIVE LAND MORTGAGE BANKS IN THE PRESIDENCY OF MADRAS (BILL No. 5 OF 1933).

* The Hon. Mr. P. T. RAJAN :—“ May I suggest, Sir, that, with your permission, the Bill might be taken up for consideration to-morrow in view of the fact that the sanction of the Government of India was received late last evening and also of the fact that the various amendments to the Bill were circulated to the Members only this morning? I believe that it will facilitate the work if time is given to Members till to-morrow.”

Diwan Bahadur B. MUNISWAMI NAYUDU :—“ Mr. President, Sir, it was announced in the papers that the Bill would not be brought forward during this meeting. It was also said that the Government of India would introduce a Bill of their own to facilitate the passing of this Bill in this Council and that at any rate the sanction of the Government of India had not been received. But this Bill has been put on the agenda and none of us have been able to give notice of amendments. I do not know, Sir, whether you will be willing to relax the rule of three days' notice and permit us to give notice of amendments now. It will be noticed, Sir, that while there are 34 clauses in the Bill, there are more than 34 amendments given notice of by the Hon. Minister himself. Some of them are of a far-reaching character. I only want, that the Hon. Minister, before he wants the Council to consider the Bill, should give us some time to go through his amendments and give notice of amendments ourselves.”

The Hon. Mr. P. T. RAJAN :—“ Mr. President, Sir, I wish to point out that these amendments have been found to be necessary as a result of the discussions of the Select Committee. I do think that one day's time will be sufficient for the Hon. Member to consider these amendments and give notice of amendments of his own. There are 24 hours within which my hon. Friend can consider the Bill and give notice of amendments. If, in the meantime, he gives us any suggestions, I am prepared to consider them.”

* The Hon. the PRESIDENT :—“ I may inform the House that amendments will be received till this evening, otherwise there will be no time for roneoing and circulating them to Members.”

Diwan Bahadur B. MUNISWAMI NAYUDU :—“ Mr. President, Sir, if the Government want to go on with the Bill to-morrow and if you, Mr. President, are not prepared to extend the time for the receipt of amendments, we will abide by your decision and as far as possible, try to send our amendments before this evening. But as I have said before, the Government have given notice of 36 amendments while there are only 34 clauses in the Bill. Therefore, I hope, you will have no objection to consider our application to move further amendments to-morrow also, if necessary.”

* The Hon. the PRESIDENT :—“ I have already said that I have no objection to receive amendments even to-morrow morning, but the difficulty will be that, if amendments are not received sufficiently early in the office, there will be no time for roneoing them and circulating them

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to Members. Because not only Members giving notice of amendments, but other Members also must have ample time to read the amendments and discuss them. Therefore, it is better that amendments are sent in even to-day and even if they are sent in at 6 o'clock in the evening, they will be received in the office.

"I think it is agreed that the Bill will be taken up to-morrow, and I decide accordingly."

NON-OFFICIAL BUSINESS.

VIII.—THE MADRAS DEBT CONCILIATION BILL.

Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—"Mr. President, Sir, I beg for leave to introduce the Madras Debt Conciliation Bill."

Mr. P. V. KRISHNAYYA CHOUDARI:—"I second it."

The motion was put and carried.

Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—"I introduce the Bill."

IX.—A BILL TO AMEND THE MADRAS HINDU RELIGIOUS ENDOWMENTS ACT, 1926 (BILL No. 3 OF 1934).

* Mr. K. KOTI REDDI:—"I beg to move that the Bill^a to amend the Madras Hindu Religious Endowments Act, 1926 (Bill No. 3 of 1934), be referred to a Select Committee, consisting of the following Members:—

- (1) Hon. the Chief Minister (The Hon. the Raja of Bobbili).
- (2) Mr. E. Conran Smith.
- (3) Rao Bahadur D. Krishnamurti.
- (4) Rao Sahib V. Dharmalingam Pillai.
- (5) Mr. A. Harischandrudu Nayudu.
- (6) Mr. G. Ranganatha Mudaliyar.
- (7) Mr. T. Narasa Reddi.
- (8) Rao Bahadur C. Natesa Mudaliyar.
- (9) Mr. R. Madanagopal Nayudu.
- (10) Dr. P. Subbarayan.
- (11) Mr. U. C. Subrahmanya Bhatt.
- (12) Mr. M. A. Manikkavelu Nayakar.
- (13) Rao Bahadur R. K. Venugopal Nayudu.
- (14) Diwan Bahadur C. S. Ratnasabhapatil Mudaliyar.
- (15) Mr. A. Ranganatha Mudaliyar.
- (16) The Mover (Mr. K. Koti Reddi).

"Mr. President, Sir, I do not think any long speech is necessary from me in order to commend this Bill to the acceptance of this House. Since the Bill is going to a Select Committee, I am sure whatever defects there may be in it, will be removed by the Select Committee.

"Sir, with regard to certain very important temples, schemes have been framed by the Court and by the Hindu Religious Endowments Board but when experience shows that changes are necessary in those schemes, they have to be referred back to courts and a lot of time is often

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wasted and sometimes protracted litigation is found to be necessary. All that should be avoided in the interests of the temples. It is also necessary, especially in the case of very important and big temples, to appoint a salaried officer on the model of the Tirupathi Devasthanam, who will devote his full time to the administration of the temples. To achieve that object, power is given to the Government to notify temples after consulting with the Hindu Religious Endowments Board.

1-30
p.m.

"The Hindu Religious Endowments Board has power to appoint a salaried official, to prescribe the duties he has to perform; various other functions are entrusted to the Board; the Government has only to satisfy itself as to the necessity of notifying the important temples; that is one of the chief clauses of the Bill.

"It is also found that the Hindu Religious Endowments Board have not sufficient funds to see that proper audit is made with regard to the religious endowments. In order to meet the present difficulty the Board as well as some members of this Council made a request that the Government should supply funds necessary for audit and other purposes, and the request has not been complied with, with the result that the accounts of a number of institutions are not audited at all. You know, Sir, how important it is, that proper audit of the accounts of these religious endowments is done; in order to meet the present difficulty of finance, provision is made in this Bill that the expenses of audit should be met from the funds of the institutions themselves. The doubt regarding whether certain provisions of the Act with regard to audit, etc., can be applied to specific endowments is sought to be removed in the Bill. These are some of the important provisions of the Bill.

"Sir, it is held that the power to direct the taking of accounts is not included in section 73 of the Hindu Religious Endowments Act. The directing of taking accounts of a trustee's management of a religious institution is essential in the interests of the trust. With these words I move that my Bill may be referred to the Select Committee."

MR. BASHEER AHMED SAYEED:—"I second it."

THE HON. THE RAJA OF BOBBILI:—"Sir, I accept the principle underlying this Bill. With regard to some of the provisions we find it necessary to make very great changes. Of course it will be the duty of the Select Committee to look into these matters."

The motion was put and carried.

The House then adjourned to meet again the next day at 11 a.m.

X.—PAPER LAID ON THE TABLE OF THE HOUSE.

* G.O. No. 83, Development, dated 19th January 1934, recording the Audit report on the accounts of the Cinchona department, Ootacamund, for the year ending 31st March 1933.

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.

8th March 1934]

APPENDIX I.

[Vide answer to question No. 727 asked by Swami A. S. Sahajanandam at the meeting of the Legislative Council held on the 8th March 1934, page 542 supra.]

Memorandum No. 6695-1, Public (Police), dated the 13th July 1933.

[Subject.—Police—Flower Bazaar Police Station—Shifting—
Depressed classes—Recruitment.]

* * * * *

3. The Inspector-General of Police and the Commissioner of Police are informed that the Government desire—

- (i) that depressed classes should be recruited in larger numbers to the lower ranks of the Police Force in accordance with the principle that all communities should as far as possible be represented in the Police force; and
- (ii) that notice of recruitment to posts in the Police department for which selection is made by themselves or their subordinates should be published as widely as possible so that the depressed classes may be aware of it.

G. T. H. BRACKEN,
Chief Secretary to Government.

C. No. 1165/Audit of 1933.

Copy communicated to all District Superintendents of Police, Principals of Training Schools and Deputy Inspectors-General of Police for information.

Chief office,
Madras, 19th July 1933.

(Signed) _____,
for Inspector-General of Police.

[8th March 1934]

APPENDIX II.

[Vide item IV—Amendments to Standing Orders of the Madras Legislative Council—at page 557 supra.]

To

THE HONOURABLE MEMBERS OF THE
MADRAS LEGISLATIVE COUNCIL.

We, the undersigned members of the Select Committee appointed to report on certain draft amendments to Standing Orders of the Madras Legislative Council moved by the Hon. Khan Bahadur Sir Mahomed Usman Sahib Bahadur at the meeting of the Legislative Council held on the 2nd February 1934, have the honour to submit the following report.

2. We met on the 17th February 1934 to consider the draft amendments, and on the 19th February 1934, to pass our Report.

3. We approve of all the amendments except X to XIII and XV.

4. As regards amendments X to XIII and XV, we have made the following changes in them.

Amendment X—Standing Order No. 39.

Clause (v) of proposed paragraph (3) of this Standing Order provides that the Council may give instructions to a Select Committee to sit outside the place of session of the Council or the headquarters of the Government for the time being. We consider that this clause is unnecessary as provision is made in proposed paragraph (6) of Standing Order No. 39 for the place of meeting of a Select Committee. We have therefore deleted clause (v) of proposed paragraph (3) of Standing Order No. 39.

Amendments XI, XII and XIII.

These amendments refer to Select Committees on Bills. We agree that the report of a Select Committee need not be signed by every member thereof, but we think that it should be authenticated by the signature of the person presiding. To paragraph (2) of Standing Order No. 40, we have, therefore, added the words "and shall be authenticated by the signature of the person presiding". We also approve the provision to delete paragraph (4) of Standing Order No. 40 which refers to the dissenting minutes of members. We, however, consider that the minutes of the proceedings of a Select Committee should be circulated to the members of the Legislative Council along with the report of the Select Committee and the Bill as amended by the Select Committee. We have accordingly amended Standing Order No. 41 by substituting the words "the minutes of the proceedings of the Committee as approved by the person presiding" for the words "any minutes that may have been recorded by

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individual members of the Committee " in the first sentence, and by *omitting* the words " and the minutes, if any " after the words " The report " in the second sentence.

We consider that as the member in charge of the Bill is required by the Madras Legislative Council Rules, to make each motion for the progress of the Bill, there is no reason why he should not also himself be called upon to present the final report of the Select Committee on a Bill. We have accordingly omitted amendment No. XII which provided for the presentation of the report of a Select Committee by its Chairman instead of the member in charge. This has necessitated the omission of the first paragraph of Amendment numbered XIII to Standing Order No. 43.

Standing Order No. 51 provides that the member who introduced a Bill may at any stage of the Bill move that the Bill be withdrawn. We consider that this Standing Order may be useful in those cases where a member wishes to drop a Bill after having proceeded with it to some stage and have therefore resolved to retain the Standing Order and omit amendment No. XV.

We have annexed a list^a of the amendments as approved by us and also a list^b of the Standing Orders amended as they would stand if the amendments recommended by us are carried out.

B. RAMACHANDRA REDDI (*Chairman*).

MD. USMAN.

H. G. STOKES.

P. SUBBARAYAN.

M. A. MUTHIAH CHETTIAR.

J. K. METHERELL.

A. KRISHNASWAMY.

R. RANGA RAO
(Hon. the Raja of Bobbili).

G. JAGANNADHA RAJU.

B. MUNISWAMI.

19th February 1934.

^a Vide Appendix A.

^b Vide Appendix B.

[8th March 1934]

APPENDIX A.

LIST OF AMENDMENTS TO THE STANDING ORDERS OF THE MADRAS LEGISLATIVE COUNCIL AS PASSED BY THE SELECT COMMITTEE.

I

Standing Order No. 2.

For paragraphs (2) and (3) inclusive of the proviso at the end, *substitute* the following :—

- “(2) On the termination of a session, all business shall lapse except Bills which have been introduced, which shall be carried over to the next session from the stage reached by them in the expiring session.”

II

Standing Order No. 4.

Substitute the following for the existing Standing Order No. 4 :—

- “4. While in session a meeting of the Council shall ordinarily commence at 11 a.m. and shall conclude at 5 p.m. :

Provided that, on notice given to the President at question time, the President may, in his discretion, allow half-an-hour after 5 p.m. or after the conclusion of the business of the day, whichever is earlier, to enable a member to raise a debate on any matter of urgent importance which has been the subject of a question on that day. No division shall be taken on such debate, and such time shall not be available for the transaction of any other business.”

III

Standing Order No. 5.

In the proviso to paragraph (9) for the words “on the next day available for non-official business of that class,” *substitute* the words “on the next day available in that session for non-official business of that class.”

IV

Standing Order No. 7.

For the existing paragraph (2) of Standing Order No. 7, *substitute* the following :—

- “(2) Except as provided in these Standing Orders or in the rules, no business not included in the list of business for the day shall be transacted at any sitting except business of a formal or ceremonial nature which may be permitted by the President.”

V

Standing Order No. 8.

For the existing Standing Order No. 8, *substitute* the following :—

- “8. All non-official business appointed for any day and not disposed of on that day, excluding motions which have lapsed under Standing Order No. 5 (b) (9) shall stand over until the next day of the session available for business of the class to which it belongs.”

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VI

Standing Orders Nos. 19 and 20.

For Standing Orders Nos. 19 and 20, substitute the following :—

“ 19. A member desirous of moving a motion for an adjournment of the business of the Council for the purpose of discussing a definite matter of urgent public importance shall, before the commencement of the sitting of the Council at which he proposes to ask for leave of the Council to make his motion, hand to the President a written statement of the matter proposed to be discussed and obtain his consent to his asking for such leave to make the motion.

“ 20. After receiving such consent, leave of the Council to make the motion may be asked for after questions and before the list of business for the day is entered upon.”

VII

Standing Order No. 29.

For the existing Standing Order, substitute the following :—

“ 29. A motion or resolution must not raise a question substantially identical with one on which the Council has given a decision in the same session.

Explanation.—The Council shall not be deemed to have given a decision in respect of a Bill unless it has either passed the Bill into law or has rejected the Bill.”

New Standing Order after Standing Order No. 29.

Insert the following as new Standing Order after Standing Order No. 29 :—

“ 29-A. A member who has moved a motion or an amendment to a motion may withdraw the same with the leave of the Council expressed without a dissentient voice.”

VIII

Standing Order No. 32.

Delete paragraph (3) of the Standing Order.

IX

Standing Order No. 37.

In the proviso to paragraph (1) of Standing Order No. 37, after the words “ six clear days’ notice to the Secretary,” insert the words “ after publication of the Bill in the Gazette.”

X

Standing Order No. 39.

(1) *For the second sentence of paragraph (2), substitute the following :—*

“ The number of such other members so nominated shall not, without leave of the House, exceed thirteen, and shall in no case exceed twenty-three.”

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(2) After paragraph (2) *insert* the following :—

“(3) The House may give instructions to a Select Committee to which a Bill is committed for consideration, that it may—

- (i) consolidate it and any other Bill or Bills committed to it into one Bill ;
- (ii) extend the operation of a Bill geographically ;
- (iii) make certain amendments in the Bill : Provided that such amendments are relevant to the subject matter of the Bill, though not covered by the clauses of the Bill ; or
- (iv) report within a particular time.”

(3) For paragraph (3), *substitute* the following paragraphs :—

“(4) The President shall nominate one of the members of the Committee to be its Chairman. The person so nominated shall preside at the meetings of the Committee and in his absence one of the members of the Committee elected by the Committee, shall preside.

“(5) In the case of an equality of votes in the Committee the person presiding shall have a second or casting vote.

“(6) While the Council is in session a Select Committee shall sit at the place fixed by His Excellency as the place of session and while the Council is not in session it may sit either in Madras or at the headquarters of Government. A Select Committee shall not sit at any other place except with the leave of the Council given on a motion made in Council by the Member of Government in charge of the department to which the Bill relates.”

(4) *Re-number* paragraphs (4) and (5) as paragraphs (7) and (8) respectively.

XI

Standing Order No. 40.

(1) In paragraph (2), *add* the following words at the end :—

“and shall be authenticated by the signature of the person presiding.”

(2) In paragraph (3), for the words “in their report,” *substitute* the words “in their final report.”

(3) *Delete* paragraph (4).

XI-A

Standing Order No. 41.

(1) In the first sentence, for the words “any minutes that may have been recorded by individual members of the Committee,” *substitute* the words “the minutes of the proceedings of the Committee as approved by the person presiding.”

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- (2) In the second sentence, *for* the words "The report and minutes, if any," *substitute* the words "The report."

XII

Omitted.

XIII

Standing Order No. 43.

In sub-paragraph (i) of paragraph (1), *for* the words "allows the report to be taken into consideration" at the end, *substitute* the words "allows such Bill to be taken into consideration"; and

in sub-paragraph (ii) (a), *for* the words "without limitation", *substitute* the words "as a whole."

XIV

Standing Order No. 48.

For paragraphs (2) and (3), the following paragraphs shall be substituted :—

"(2) If any amendment be made, any member may request the President to postpone the further consideration of the Bill and thereupon the President shall, unless he considers that the request is frivolous or unreasonable, postpone the further consideration of the Bill to a date not earlier than three days therefrom.

"(3) When the Bill is so brought forward for further consideration, no amendments not being of a verbal or consequential nature, shall be made by the Council.

"(4) The member in charge of the Bill may then move that the Bill be passed into law.

"(5) Paragraphs (2), (3) and (4) shall not apply to Taxation Bills."

XV

Omitted.

XVI

Standing Order No. 60.

Delete this Standing Order.

XVII

Standing Order No. 64.

Delete this Standing Order.

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APPENDIX B.

LIST OF THE STANDING ORDERS OF THE MADRAS LEGISLATIVE COUNCIL,
EMBODYING THE AMENDMENTS PASSED BY THE SELECT COMMITTEE.

I

Standing Order No. 2.

2. (1) A session of the Council is terminated by prorogation. The Council is prorogued by the Governor by notification or otherwise.

(2) On the termination of a session, all business shall lapse except Bills, which have been introduced, which shall be carried over to the next session from the stage reached by them in the expiring session.

II

Standing Order No. 4.

4. While in session a meeting of the Council shall ordinarily commence at 11 a.m., and shall conclude at 5 p.m.:

Provided that, on notice given to the President at question time, the President may, in his discretion, allow half-an-hour after 5 p.m., or after the conclusion of the business of the day, whichever is earlier, to enable a member to raise a debate on any matter of urgent importance which has been the subject of a question on that day. No division shall be taken on such debate, and such time shall not be available for the transaction of any other business.

III

Standing Order No. 5.

5. (b) (9) The precedence of motions as determined by each ballot shall hold good for thirty days from the date on which the ballot is held exclusive of the day on which it is held:

Provided that any motion which is under the consideration of the Council at the time of an adjournment shall be taken as the first item of non-official business of the same class as itself on the next day available in that session for non-official business of that class.

IV

Standing Order No. 7.

7. (1) A list of business for the day shall be prepared by the Secretary and circulated to all members.

(2) Except as provided in these Standing Orders or in the rules, no business not included in the list of business for the day shall be transacted at any sitting except business of a formal or ceremonial nature which may be permitted by the President.

(3) No business requiring notice shall be set down for a day earlier than the period of the necessary notice.

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V

Standing Order No. 8.

8. All non-official business appointed for any day and not disposed of on that day, excluding motions which have lapsed under Standing Order No. 5 (b) (9) shall stand over until the next day of the session available for business of the class to which it belongs.

VI

Standing Orders Nos. 19 and 20.

19. A member desirous of moving a motion for an adjournment of the business of the Council for the purpose of discussing a definite matter of urgent public importance shall, before the commencement of the sitting of the Council at which he proposes to ask for leave of the Council to make his motion, hand to the President a written statement of the matter proposed to be discussed and obtain his consent to his asking for such leave to make the motion.

20. After receiving such consent, leave of the Council to make the motion may be asked for after questions and before the list of business for the day is entered upon.

VII

Standing Order No. 29.

29. A motion or resolution must not raise a question substantially identical with one on which the Council has given a decision in the same session.

Explanation: The Council shall not be deemed to have given a decision in respect of a Bill unless it has either passed the Bill into law or has rejected the Bill.

New Standing Order after Standing Order No. 29.

29-A. A member who has moved a motion or an amendment to a motion may withdraw the same with the leave of the Council expressed without a dissentient voice.

VIII

Standing Order No. 32.

32. (1) At any time after a motion has been made a member may move "that the question be now put," and unless it shall appear to the President that such motion is an abuse of the rules of the Council or an infringement of the rights of reasonable debate, the question "that the question be now put" shall be put forthwith and decided without amendment or debate.

(2) When the motion "that the question be now put" has been carried, the question on the motion, the debate on which has thus been terminated, shall be put and decided without amendment or further debate.

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IX

Standing Order No. 37.

37. (1) At any time after a Bill has been introduced and published in the Gazette, the member in charge of the Bill may make one of the following motions in regard to his Bill, namely :—

- (a) that it be taken into consideration by the Council either at once or at some future day to be then specified ; or
- (b) that it be referred to a Select Committee ; or
- (c) that it be circulated for the purpose of eliciting opinion thereon :

Provided that any member may object to any such motion being made unless the member in charge has given at least six clear days' notice to the Secretary, **after publication of the Bill in the Gazette**, and such objection shall prevail unless the President, in the exercise of his discretion, allows the motion to be made.

(2) On the day on which any such motion is made, or on any subsequent day to which the discussion thereof is postponed, the principle of the Bill and its general provisions may be discussed, but the details of the Bill must not be discussed further than is necessary to explain its principle.

X

Standing Order No. 39.

39. (1) The Member of the Government in charge of the department to which the Bill relates and the member who introduced the Bill shall be members of every Select Committee.

(2) The other members of the Committee shall be named by the Council when the motion that the Bill be referred is made, or at any subsequent sitting. **The number of such other members so nominated shall not, without leave of the House, exceed thirteen, and shall in no case exceed twenty-three.**

(3) The House may give instructions to a Select Committee to which a Bill is committed for consideration, that it may—

- (i) consolidate it and any other Bill or Bills committed to it into one Bill ;
- (ii) extend the operation of a Bill geographically ;
- (iii) make certain amendments in the Bill : Provided that such amendments are relevant to the subject-matter of the Bill, though not covered by the clauses of the Bill ; or
- (iv) report within a particular time.

(4) The President shall nominate one of the members of the Committee to be its Chairman. The person so nominated shall preside at the meetings of the Committee and in his absence one of the members of the Committee elected by the Committee, shall preside.

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(5) In the case of an equality of votes in the Committee the person presiding shall have a second or casting vote.

(6) While the Council is in session a Select Committee shall sit at the place fixed by His Excellency as the place of session and while the Council is not in session it may sit either in Madras or at the headquarters of Government. A Select Committee shall not sit at any other place except with the leave of the Council given on a motion made in Council by the Member of Government in charge of the department to which the Bill relates.

(7) A Select Committee may hear expert evidence and the representatives of any special interests affected by the measure before them.

(8) The Secretary of the Legislative Council shall be the ex-officio Secretary of the Select Committee and send notices of its meetings and conduct all correspondence connected with its business.

XI

Standing Order No. 40.

40. (1) After publication of a Bill in the Gazette, the Select Committee to which the Bill has been referred shall make a report thereon.

(2) Reports may be either preliminary or final **and shall be authenticated by the signature of the person presiding.**

(3) The Select Committee shall, in their final report, state whether or not, in their judgment, the Bill has been so altered as to require republication, whether the publication directed by the rules or by the Council has taken place, and the date on which the publication has taken place, or, if publication in more than one language has been ordered, the date on which the publication in each such language has taken place.

XI-A

Standing Order No. 41.

41. The report of the Select Committee, **the minutes of the proceedings of the Committee as approved by the person presiding** and if the Bill has been amended, the Bill, as amended by the Committee, shall be printed and copies furnished to each member of the Council. **The report** and, if the Bill has been amended, the Bill, as amended, or such portion thereof as may have been amended, shall also, unless otherwise directed by the Select Committee, be published in the *Fort St. George Gazette* in the languages in which the original Bill was published.

XIII

Standing Order No. 43.

43. (1) After the presentation of the final report of a Select Committee on a Bill the member in charge may move—

(i) that the Bill, as reported by the Select Committee, be taken into consideration, but any member may object to its being

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so taken into consideration if the copies mentioned in Standing Order No. 41 have not been available for the use of members for fifteen days, or if three months have not elapsed from the date of the first publication of the Bill; and such objection shall prevail unless the President, in the exercise of his power to suspend this order allows **such Bill** to be taken into consideration; or

(ii) that the Bill be recommitted either—

(a) **as a whole**, or

(b) with respect to particular clauses or amendments only, or

(c) with instructions to the Select Committee to make some particular or additional provision in the Bill.

(2) If the member in charge moves that the Bill be taken into consideration, any member may move as an amendment that the Bill be recommitted.

XIV.

Standing Order No. 48.

48. (1) If no amendment be made when a motion that a Bill be taken into consideration has been agreed to by the Council, the Bill may at once be passed.

(2) If any amendment be made, any member may request the President to postpone the further consideration of the Bill and thereupon the President shall, unless he considers that the request is frivolous or unreasonable, postpone the further consideration of the Bill to a date not earlier than three days therefrom.

(3) When the Bill is so brought forward for further consideration, no amendments not being of a verbal or consequential nature, shall be made by the Council.

(4) The member in charge of the Bill may then move that the Bill be passed into law.

(5) Paragraphs (2), (3) and (4) shall not apply to Taxation Bills.

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APPENDIX III.

[Vide item V—at page 582 supra.]

BILL No. 8 OF 1933.

A Bill to amend the Madras Nurses and Midwives Act, 1926, for certain purposes.

To

THE HONOURABLE THE LEGISLATIVE COUNCIL
OF THE GOVERNOR OF MADRAS.

WE, the Members of the Select Committee appointed to consider the Bill to amend the Madras Nurses and Midwives Act, 1926, for certain purposes (Bill No. 8 of 1933) have the honour to make the following report.

2. The Bill was published in the *Fort St. George Gazette* in English on the 20th June 1933, in Tamil, Telugu and Malayalam on the 25th July 1933, and in Kanarese and Hindustani on the 18th July 1933.

3. We met on the 29th September 1933 and decided to hear the views of the Surgeon-General with the Government of Madras, the Director of Public Health and a representative of the Nurses' Association, Madras, in person, in respect of the Bill. They accordingly appeared before us on the 26th January 1934, and stated their views.

4. We agree that the constitution of the Madras Nurses and Midwives Council should be modified in the manner proposed in the Bill; but with a view to give additional representation to private nurses and midwives, we have included a representative of the Nurses' Association of Madras in the Council. We have also made it clear that the representatives of the various nurses' associations on the Council and their electors should be persons registered under the Act. We have substituted, in the place of the Director of Public Health, Madras, any Officer of the Public Health Department of Government nominated by the Government.

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5. A copy of the Bill as amended by us is annexed and we think that it need not be re-published.

1. C. NATESAN.
2. H. M. JAGANNATHAM.
3. M. D. T. RANGANATHA MUDALIAR.
4. C. BASU DEV.
5. U. C. S. BHATT.
6. V. M. RAMASWAMY.
7. P. V. KRISHNAIAH CHOWDARI.
8. G. R. PREMAYYA.
9. K. ALAMELMANGATHAYARAMMA.
10. C. JAYARAM.
11. V. T. ARASU.
12. V. NADIMUTHU PILLAI.
13. W. W. LADDEN.
14. ABDUL HAMEED KHAN.
15. MAHOMED USMAN.
16. E. CONRAN SMITH.

[Note: Changes made by the Select Committee are shown in Clarendon type.]

BILL No. 8 OF 1933.

A Bill to amend the Madras Nurses and Midwives Act, 1926, for certain purposes.

(As amended by the Select Committee.)

Short title
and com-
mencement.

WHEREAS it is expedient to amend the Madras Nurses and Midwives, Act, 1926, for the purposes hereinafter appearing;

Madras
Act III of
1926.

AND WHEREAS the previous sanction of the Governor-General has been obtained to the passing of this Act;

It is hereby enacted as follows:—

1. (1) This Act may be called the Madras Nurses and Midwives (Amendment) Act, 1934.

(2) Sub-clause (b) of clause (i) of section 2 shall come into force on such date as the Local Government may, by notification in the *Fort St. George Gazette*, appoint. The remaining provisions of this Act shall come into force at once.

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Madras
Act III of
1926.

2. In section 3 of the Madras Nurses and Midwives Act, 1926—

Amendment
of section 3.

(i) in sub-section (1)—

(a) clauses (b), (c), (d), (e), (f) (g) and (h) shall be re-lettered (c), (d), (e), (f), (g), (h) and (l) respectively and the following shall be inserted as clause (b), namely:—

“(b) an officer of the Public Health Department of Government nominated by the Government;”

(b) in clause (f) as so re-lettered, for the words “two Registered Medical Practitioners, one of whom shall be a woman”, the words “one Registered Medical Practitioner” shall be substituted;

(c) in clause (h) as so re-lettered, the word ‘and’ at the end shall be omitted;

(d) after clause (h) as so re-lettered, the following clauses shall be inserted, namely:—

(i) one member registered under this Act elected by the members of the Trained Nurses’ Association of India, who are also so registered;

(j) one member registered under this Act elected by the members of the Nurses’ Association of Madras who are also so registered;

(k) one member registered under this Act elected by the members of the Nurses Auxiliary of the Christian Medical Association of India [(South India Branch), who are also so registered and;

(e) the proviso shall be omitted; and

(ii) in sub-section (2), the words and figure “except members nominated under the proviso to sub-section (1) who shall hold office till the expiry of one year from the commencement of this Act” shall be omitted.

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APPENDIX IV.

[Vide item VI—at page 583 supra.]

BILL No. 7 OF 1934.

A Bill to amend the Madras Local Authorities Entertainments Tax Act, 1926, for certain purposes.

WHEREAS it is expedient to amend the Madras Local Authorities Entertainments Tax Act, 1926, for the purposes hereinafter appearing ;

Madras
Act V of
1927.

It is hereby enacted as follows :—

Short title.

1. This Act may be called the Madras Local Authorities Entertainments Tax (Amendment) Act, 1934.

Amendment
of section 3,
Madras Act
V of 1927.

2. In sub-section (5) of section 3 of the Madras Local Authorities Entertainments Tax Act, 1926—

(i) after the words “substantial portion of the income is derived,” the words “or is likely to be derived” shall be inserted ; and

(ii) after the existing proviso, the following proviso shall be added, namely :—

“Provided further that in cases of urgency, an application under this sub-section may be made on behalf of the local authority concerned, by the Commissioner in the case of the Corporation of Madras, by the executive authority in the case of any other municipality and by the president in the case of a local board. A report of such application having been made shall be made to the local authority at its next meeting.”

STATEMENT OF OBJECTS AND REASONS.

Under sub-section (5) of section 3 of the Madras Local Authorities Entertainments Tax Act, 1926 (Madras Act V of 1927), which relates to the levy of entertainments tax in areas situated within the limits of one local authority but within five miles of the limits of another local authority, on the application of the latter authority two essential conditions have to be satisfied, namely :—

(1) there should be an application from the latter local authority in respect of each individual place of entertainment ; and (2) the Local Government have to be satisfied that a

8th March 1934]

substantial portion of the income is derived from the area of that local authority. For complying with the first condition, it is necessary that the local authority concerned should meet and decide in each case whether an application should be made or not ; and it is not easy to fulfil either this condition or the second condition where the entertainment lasts only for a short period. It is therefore considered desirable to amend sub-section (5) of section 3 of the Act so as to provide (a) for the Local Government sanctioning the levy of the tax after satisfying themselves that a substantial portion of the income is likely to be derived from the local area concerned and (b) for the executive authority of the local authority concerned making an application on its behalf in cases of urgency.

FORT ST. GEORGE,
27th January 1934.

RAJA OF BOBBILI.



